

NM1 - 32

**GENERAL  
CORRESPONDENCE**

**YEAR(S):**

2006 - 1999

# Fax

**To:** Clay Cooper  
SOUTH MONUMENT LANDFARM

**Fax:** 505-393-2448

**Pages:** 1

**Date:** August 8, 2006

Clay,

This is to confirm that South Monument Landfarm may take and treat contaminated soil if the chlorides contamination is 1000 mg/kg or less. As we discussed, OCD anticipates that it will send out a clarification letter on this issue after the Oil Conservation Commission makes its final determination on the pending proposed Rule 53.

If you have any questions, please call Mr. Brad Jones, who has replaced Ed Martin. You may reach Brad at 505-476-3487.

Glenn von Gonten

From the desk of...

Glenn von Gonten  
Senior Hydrologist  
Energy, Minerals and Natural Resources  
Oil Conservation Division  
Environmental Bureau  
1220 South St. Francis Drive South  
Santa Fe, NM 87505  
505-476-3488  
Fax: 505-3462

# Fax

**To:** Clay Cooper  
SOUTH MONUMENT LANDFARM

**Fax:** 505-392-<sup>23</sup>2448

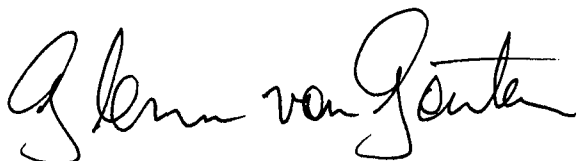
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# NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

**BILL RICHARDSON**

Governor

**Joanna Prukop**

Cabinet Secretary

7001 1940 0004 7920 7652

March 4, 2005

**Mark E. Fesmire, P.E.**

Director

**Oil Conservation Division**

South Monument Waste  
Management Facility, LLC  
P.O. Box 18 418  
Hobbs, NM 88241

Permit Number: NM-1-0032

Re: Administrative Modification of Landfarm Permits

The Oil Conservation Division (OCD) issued the landfarm permit identified above under OCD Rule 711. As explained in the public notice given prior to the issuance of the permit, the permit was for landfarming to remediate hydrocarbon-contaminated soils. The language of the permit, however, is broader, allowing the facility to accept oilfield contaminated solids which are either exempt from the Federal RCRA Subtitle C (hazardous waste) regulations or are "nonhazardous" by characteristic testing. If this language were interpreted to allow the landfarm to accept oilfield waste contaminated with salts, the salts could compromise the biodegradation capacity of the landfarm. And because salts leach more easily than hydrocarbons, the landfarm may pose a greater threat to groundwater.

According to the terms of the permit identified above, the OCD may change the permit conditions administratively for good cause shown as necessary to protect fresh water, human health and the environment. The OCD has determined that it is necessary to protect fresh water, human health and the environment to modify the permit as follows:

**Effective immediately, the NMOCD permitted landfarm identified above is prohibited from accepting oilfield waste contaminated with salts.**

If the landfarm identified above wishes to accept oilfield waste contaminated with salts, you will need to file an application to modify the permit pursuant to OCD Rule 711.B(1) and follow the notice requirements of OCD Rule 711.B(2). If you have already filed a complete application for permit modification with this office and complied with the notice requirements, the OCD will process the application promptly.

Landfarms that wish to accept oilfield wastes contaminated with salts while their application for permit modification is pending may apply to the Division Director for an emergency order under OCD Rule 1202. Applications for emergency orders will be considered on a case-by-case basis.

This notice is being sent to all entities operating landfarm facilities in New Mexico permitted pursuant to OCD Rule 711, as shown on the attached list.

If you have any questions, please contact Ed Martin at (505) 476-3492 or [emartin@state.nm.us](mailto:emartin@state.nm.us).

Very truly yours,

Mark E. Fesmire, P.E.



DISTRIBUTION LIST

DD Landfarm, Inc. NM-1-0034  
317 W. Blanco  
Hobbs, NM 88242

C & C Landfarm, Inc. NM-1-0012  
P.O. Box 55  
Monument, NM 88265

Doom Landfarm NM-1-0033  
Box 168  
Jal, NM 88252

South Monument Waste  
Management Facility, LLC NM-1-0032  
P.O. Box 18  
Hobbs, NM 88241

Lazy Ace Landfarm, LLC NM 1-0041  
P.O. Box 160  
Eunice, NM 88231

Lea Land, Inc. NM-1-0035  
5644 Westheimer, #153  
Houston, TX 77056

Gandy Marley, Inc. NM-1-0019  
P.O. Box 1658  
Roswell, NM 88202

Saunders Landfarm, LLC NM-1-0038  
394 State Highway. 206  
Lovington, NM 88260

Rhino Oilfield Disposal, Inc. NM-1-0021  
c/o Diamondback Disposal Services, Inc.  
P.O. Box 2491  
Hobbs, NM 88241

J & L Landfarm, Inc. NM-1-0023  
P.O. Box 356  
Hobbs, NM 88241-0356

Artesia Aeration, LLC NM-1-0030  
P.O. Box 310  
Hobbs, NM 88240

Sid Richardson Energy Services Co.; NM-2-0019  
610 Commerce  
Jal, NM 88252

ChevronTexaco Exploration & Production, Inc.; NM-2-0013  
15 Smith Rd.  
Midland, TX 79705

John H. Hendrix Corp.; NM-2-0021  
P.O. Box 3040  
Midland, TX 79702-3040

Pitchfork Landfarm, LLC; NM-1-0039  
524 Antelope Ridge  
Jal, NM 88252

Commercial Exchange, Inc.; NM-1-0042  
6906 Gary Ave.  
Lubbock, TX 79413

Envirotech, Inc.; NM-1-0011  
5796 U.S. Highway 64  
Farmington, NM 87401

T-N-T Environmental, Inc.; NM-1-0008  
HCR 74 P.O. Box 115  
Lindrieth, NM 87029

Giant Exploration & Production Co.; NM-2-0010  
23733 North Scottsdale Rd.  
Scottsdale, AZ 85255

Controlled Recovery, Inc. NM-1-006  
P.O. Box 388  
Hobbs, NM 88241-0388



# NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

**BILL RICHARDSON**

Governor

**Joanna Prukop**

Cabinet Secretary

7001 1940 0004 7923 4962

March 4, 2005

**Mark E. Fesmire, P.E.**

Director

**Oil Conservation Division**

South Monument Waste  
Management Facility, LLC  
P.O. Box 18418  
Hobbs, NM 88241

*RETURNED  
BAD ADDRESS*

Permit Number: NM-1-0032

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Very truly yours,

Mark E. Fesmire, P.E



# NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

**BILL RICHARDSON**

Governor

**Joanna Prukop**

Cabinet Secretary

October 7, 2004

**Mark E. Fesmire, P.E.**

Director

**Oil Conservation Division**

Ms. Kena Kay Cooper  
South Monument Surface Waste Facility LLC  
P.O. Box 18  
Hobbs, NM 88241

Dear Ms. Cooper:

Since the New Mexico Oil Conservation Division (NMOCD) promulgated Rule 50 covering pits and below-grade tanks, there has arisen a need, in certain circumstances, for operators to transport their drill cuttings off-site and dispose of them.

NMOCD Rule 711, as it pertains to landfarms, does not specifically address the issue of exempt oilfield wastes that may be contaminated with salts. Your landfarm application and permit were written with only hydrocarbon-contaminated soils in mind. Salt-contaminated wastes cause the following problems:

1. Lessening the effectiveness of the biodegradation capacity of your landfarm
2. Rapid leachability causing adverse effects on groundwater

If you want to accept salt-contaminated cuttings or any other salt-contaminated wastes, your 711 permit must be modified to ensure that your acceptance of those wastes will not adversely affect public health or the environment.

Please check one of the following:

☐ I have accepted or intend to accept salt-contaminated wastes in my landfarm. An OCD form C-137, applying for a modification to my 711 permit is attached. Included, as an attachment, is a demonstration that the accepted salt-contaminated soils will not adversely affect groundwater in the foreseeable future. (Closure requirements will also require modification to ensure the protection of groundwater. Should your acceptance of salt-contaminated wastes prove detrimental to groundwater, future liability for such damage rests with the landfarm operator).

☐ I do not intend to accept salt-contaminated wastes in my landfarm. Should this condition change, I will submit an OCD Form C-137 for a modification to my 711 permit at that time.

New Mexico Oil Conservation Division

Attn: Ed Martin

1220 S. St. Francis

Santa Fe, NM 87505

This letter must be returned to the above address no later than October 31, 2004. An extension of time may be granted if you contact this office no later than that date.

If you have any questions, contact Ed Martin (505) 476-3492 or [emartin@state.nm.us](mailto:emartin@state.nm.us)

Signed \_\_\_\_\_

Date \_\_\_\_\_

# Public Regulation Commission

5/24/2000

**SOUTH MONUMENT SURFACE WASTE FACILITY, L.L.C.**

## *MAILING ADDRESS*

**834 WEST GOLD HOBBS NEW MEXICO 88240**

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**SCC Number: 2063220**

**Tax & Revenue Number:**

***ORGANIZED ON FEBURARY 09, 2000 , IN NEW MEXICO.***

***ORGANIZATION IS A DOMESTIC LIMITED LIABILITY***

***ORGANIZATION IS EXEMPT***

***PURPOSE OF THE ORGANIZATION  
NOT REQUIRED***

## ***ORGANIZATION DATES***

**Taxable Year End Date:**

**Filing Date: //**

**Organization Existence Expiration Date: 12/31/2030**

## ***SUPPLEMENTAL POST MARK DATES***

**Supplemental:**

**Name Change:**

**Purpose Change:**

## ***PRINCIPAL ADDRESS***

**834 WEST GOLD HOBBS NEW MEXICO 88240**

***PRINCIPAL ADDRESS(Outside New Mexico)***

---

## ***REGISTERED AGENT***

**KENA KAY COOPER**

**834 WEST GOLD HOBBS NEW MEXICO 88240**

**Designation date: 02/09/00**

**Agent Post Mark Date:**

**Resignation date:**

## ***COOP LICENSE INFORMATION***

**Number:**

**Type:**

**Expiration Year:**

## ***ORGANIZER(S)***

**COOPER, CLAY TOM COOPER, KENA KAY  
WALTON, DAVID H. WALTON, JUDY "GRINNY"**

---

***DIRECTORS***  
***Date Election of Directors:***

*New Search Inquiry Page*

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

MEMORANDUM OF MEETING OR CONVERSATION

☒ Telephone ☐ Personal Time 12:15 Date 5-24-00

Originating Party

Other Parties

Norma Fauth  
Lea Co State Bank?

Marilyn Kichy

1505-397-6604

Subject Southmanumt Surface Waste Facility L.L.C.

Questions on Bond & Signatures

Discussion

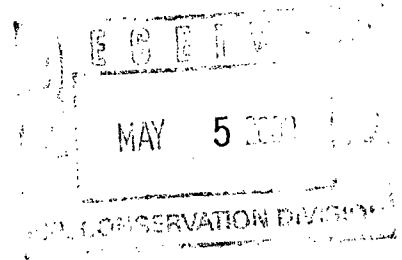
Conclusions or Agreements

Distribution

Signed Marilyn

**SOUTH MONUMENT SURFACE  
WASTE FACILITY, LLC**

**P. O. Box 418  
Hobbs, NM 88241-0418  
505-393-3174 505-390-3088**



April 28, 2000

New Mexico Oil Conservation Division  
2040 South Pacheco Street  
Santa Fe, NM 87505  
ATTN: MARTYNE KIELING

**RE: AFFIDAVIT OF PUBLICATION  
NOTICE TO SURFACE OWNERS**

Dear Ms. Kieling:

Attached please find the Public Notice Statement Affidavit that appeared in the Lovington Daily Leader Newspaper on March 30, 2000. Also the letters for Notice To Surface Owners with Certified Mail Return Receipts mailed on April 1, 2000.

If there is anything else that you may need please let me know. I enjoyed getting to meet you on your visit. My school finals are over next week so hopefully things can get back to normal for a while.

Sincerely,

*Kena Kay Cooper*

Kena Kay Cooper

cc: NMOCD HOBBS  
Donna Williams



# Affidavit of Publication

STATE OF NEW MEXICO )

) ss.

COUNTY OF LEA )

Joyce Clemens being first duly sworn on oath deposes and says that she is Advertising Director of **THE LOVINGTON DAILY LEADER**, a daily newspaper of general paid circulation published in the English language at Lovington, Lea County, New Mexico; that said newspaper has been so published in such county continuously and uninterruptedly for a period in excess of Twenty-six (26) consecutive weeks next prior to the first publication of the notice hereto attached as hereinafter shown; and that said newspaper is in all things duly qualified to publish legal notices within the meaning of Chapter 167 of the 1937 Session Laws of the State of New Mexico.

That the notice which is hereto attached, entitled

Notice of Publication

was published in a regular and entire issue of **THE LOVINGTON DAILY LEADER** and not in any supplement thereof, for ONE (1) Day, beginning with the issue of March 30, 2000 and ending with the issue of March 30, 2000.

And that the cost of publishing said notice is the sum of \$ 53.23 which sum has been (Paid) as Court Costs.

Joyce Clemens

Subscribed and sworn to before me this  
March 30, 2000.

Debbie Schilling

Notary Public, Lea County, New Mexico  
My Commission Expires June 22, 2002

the ground surface in 6 inch lifts or less and periodically diskling them to enhance biodegradation of contaminants. Ground water most likely to be affected by any accidental discharges at the surface is at a depth of approximately 112 feet to 36 feet with chloride concentration of approximately 154 parts per million and total dissolved solids of 1164 parts per million. The facility is underlain by Quaternary dune sands, alluvium and the Ogallala Formation. The Ogallala Formation rests unconformably upon Triassic and Cretaceous rocks. The permit application addresses the construction, operations, spill/leak prevention and monitoring procedures to be incorporated at the proposed site.

Any interested person may obtain further information from the Oil Conservation Division and may submit written comments to the Director of the Oil Conservation Division at the address given above. The application may be viewed at the above address between 8:00 a.m. and 4:00 p.m., Monday thru Friday. Prior to ruling on any proposed application, the Director of the Oil Conservation Division shall allow at least thirty (30) days after the date of publication of this notice during which comments may be submitted and public hearing may be requested by any interested person. Request for public hearing shall set forth the reasons why a hearing shall be held. A hearing will be held if the director determines that there is significant public interest.

If no hearing is held, the Director will approve or disapprove the application based on the information available. If a public hearing is held, the Director will approve the application based on the information in the application and information presented at the hearing.

Published in the  
Lovington Daily Leader  
March 30, 2000.

## LEGAL NOTICE NOTICE OF PUBLICATION

Notice is hereby given that pursuant to the New Mexico Oil Conservation Division Regulations, the following application has been submitted to the Director of the Oil Conservation Division, 2040 S. Pacheco, Santa Fe, New Mexico 87505, Telephone (505) 827-7131:

South Monument Surface Waste Facility L.L.C., Operator, Kena Kay Cooper, 834 W. Gold, Hobbs, New Mexico, 88240, has submitted for approval an application to construct and operate a Rule 711 commercial landfarm soils remediation facility located in the N/2 NE/4 of Section 25, Township 20 South, Range 36 East, NMPM, Lea County, New Mexico. Hydrocarbon contaminated soils associated with oil and gas production operations will be remediated by spreading them on

SOUTH MONUMENT SURFACE WASTE FACILITY  
P. O. BOX 418  
HOBBS, NM 88241-0418

March 31, 2000

Bank of America  
Trustee of Millard Deck Estate  
P. O. Box 270  
Midland, TX 79702-0270  
ATTN: Tim Wolters

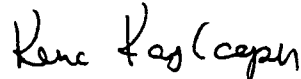
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Any interested person may obtain further information from the Oil Conservation Division and may submit written comments to the Director of the Oil Conservation Division at the address given above. The application may be viewed at the above address or at the Hobbs district office at 1625 N. French Drive, Hobbs, New Mexico between 8:00 a.m. and 4:00 p.m., Monday through Friday. Prior to ruling on any proposed application, the Director of the Oil Conservation Division shall allow at least thirty (30) days after the date of publication of this notice during which comments may be submitted and public hearing may be requested by any interested person. Request for public hearing shall set forth the reasons why a hearing shall be held. A hearing will be held if the director determines that there is significant public interest.

Sincerely,



Kena Kay Cooper

SOUTH MONUMENT SURFACE WASTE FACILITY  
P. O. BOX 418  
HOBBS, NM 88241-0418

March 31, 2000

Jimmie T. & Betty Cooper  
P. O. Box 55  
Monument, NM 88265

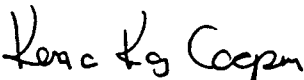
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Sincerely,

  
Kena Kay Cooper

SOUTH MONUMENT SURFACE WASTE FACILITY  
P. O. BOX 418  
HOBBS, NM 88241-0418

March 31, 2000

New Mexico State Land Office  
3830 N. Grimes, Suite C  
Hobbs, NM 88240-1279

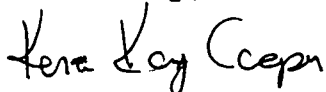
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Kena Kay Cooper

SOUTH MONUMENT SURFACE WASTE FACILITY  
P. O. BOX 418  
HOBBS, NM 88241-0418

March 31, 2000

William Henry Brininstool  
District 5 County Commissioner  
P. O. Box 5  
Jal, NM 88252

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*Kena Kay Cooper*

Kena Kay Cooper



NEW MEXICO ENERGY, MINERALS  
& NATURAL RESOURCES DEPARTMENT

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

March 23, 2000

**CERTIFIED MAIL**  
**RETURN RECEIPT NO. Z-559-573-287**

Ms. Kena Kay Cooper  
South Monument Surface Waste Facility L.L.C.  
834 W. Gold  
Hobbs, NM 88240

**RE: Public Notice for South Monument Surface Waste Facility L.L.C.  
711 Surface Waste Management Facility  
N/2 NE/4 of Section 25, Township 36 South, Range 20 East, NMPM,  
Lea County, New Mexico**

Dear Ms. Cooper:

The New Mexico Oil Conservation Division (OCD), has received the South Monument Surface Waste Facility L.L.C. (South Monument) application for a 711 surface waste management facility dated September 17, 1999. The application proposes the construction of a landfarm 711 facility. The facility is to be located in the N/2 NE/4 of Section 25, Township 36 South, Range 20 East, NMPM, Lea County, New Mexico.

Based on the information provided with the application Form C-137 and additional information dated October 4, 1999, February 2, 2000, March 6, 2000 and March 22, 2000 the OCD has prepared a public notice statement that South Monument must published in the Lovington Daily Leader newspaper. South Monument must send the original certified affidavit of publication from the Lovington Daily Leader to the OCD Santa Fe office and a copy to the appropriate District office.

In addition, South Monument must give written notice to all surface owners of record within one mile of the proposed facility and to the county commission that the proposed facility is to be located. The OCD has not received proof (certified return receipt) of such notice to the surface owners of record or the county commission.

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

Sincerely,

Martyne J. Kielling  
Environmental Geologist

Attachments

xc: Hobbs OCD Office

## NOTICE OF PUBLICATION

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Any interested person may obtain further information from the Oil Conservation Division and may submit written comments to the Director of the Oil Conservation Division at the address given above. The application may be viewed at the above address between 8:00 a.m. and 4:00 p.m., Monday thru Friday. Prior to ruling on any proposed application, the Director of the Oil Conservation Division shall allow at least thirty (30) days after the date of publication of this notice during which comments may be submitted and public hearing may be requested by any interested person. Request for public hearing shall set forth the reasons why a hearing shall be held. A hearing will be held if the director determines that there is significant public interest.

If no hearing is held, the Director will approve or disapprove the application based on the information available. If a public hearing is held, the Director will approve the application based on the information in the application and information presented at the hearing.

WALTON CONSTRUCTION COMPANY, INC.  
P. O. BOX 478 - 314 W. MARLAND  
HOBBS, NEW MEXICO 88241-0478  
(505) 393-3174

## FAX INFO

DATE: 3/22/00COMPANY: NMOCLOCATION: 505-827-8177ATTENTION: Martynne KielingFROM: Lene Kay CooperREFERENCE: Water Analysis

NUMBER OF PAGES PLUS THIS ONE: \_\_\_\_\_

WALTON'S FAX NUMBER: (505) 393-8943

COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**ARDINAL  
LABORATORIES**

PHONE (915) 673-7001 • 2111 BEECHWOOD • ABILENE, TX 79603

PHONE (505) 393-2326 • 101 E. MARLAND • HOBBS, NM 88240

**ANALYTICAL RESULTS FOR  
WALTON CONSTRUCTION  
ATTN: DAVID WALTON  
P.O. BOX 478  
HOBBS, NM 88241  
FAX TO: (505) 393-8943**

Receiving Date: 03/21/00  
Reporting Date: 03/22/00  
Project Number: 8M5WF  
Project Name: NOT GIVEN  
Project Location: SECTION 26

Sampling Date: 03/21/00  
Sample Type: GROUNDWATER  
Sample Condition: COOL & INTACT  
Sample Received By: AH  
Analyzed By: BC

LAB NUMBER SAMPLE ID	Na (mg/L)	Ca (mg/L)	Mg (mg/L)	K Conductivity (mg/L) ( $\mu$ mhos/cm)	T-Alkalinity (mgCaCO <sub>3</sub> /L)
ANALYSIS DATE:	03/22/00	03/21/00	03/21/00	03/21/00	03/21/00
H4734-1 COOPER HOUSE WELL	163	18	4	0.9	1783
Quality Control	0.851	52	53	5.02	1392
True Value QC	1.000	50	50	5.00	1413
% Recovery	85.1	104	106	100	98.5
Relative Percent Difference	5.3	0	0	1.8	0.2

METHODS:	273.1	3500-Ca-D	3500-Mg F	8049	120.1	310.1
----------	-------	-----------	-----------	------	-------	-------

	Cl <sup>-</sup> (mg/L)	SO <sub>4</sub> (mg/L)	CO <sub>3</sub> (mg/L)	HCO <sub>3</sub> (mg/L)	pH (s.u.)	TDS (mg/L)
ANALYSIS DATE:	03/21/00	03/21/00	03/22/00	03/22/00	03/21/00	03/21/00
H4734-1 COOPER HOUSE WELL	154	264	0	434	8.45	1164
Quality Control	986	51.06	NR	971	7.01	NR
True Value QC	1000	50.00	NR	1000	7.00	NR
% Recovery	98.6	102	NR	97.1	100	NR
Relative Percent Difference	4.8	1.1	NR	-	0.1	NR

<b>METHODS:</b>	<b>SM4500-CI-B</b>	<b>375.4</b>	<b>310.1</b>	<b>310.1</b>	<b>150.1</b>	<b>180.1</b>
-----------------	--------------------	--------------	--------------	--------------	--------------	--------------

*Amy Hill*  
Chemist

03/22/00  
Date

PR F&M 75-119915  
All claims, including those for negligence and any other causes whatsoever shall be deemed waived unless made in writing and received by Cardinal within thirty (30) days after completion of the applicable service. In no event shall Cardinal be liable for incidental or consequential damages, including, without limitation, business interruptions, loss of use, or loss of profits incurred by client, its subsidiaries, affiliates or successors arising out of or related to the performance of services hereunder by Cardinal, regardless of whether such claim is based upon any of the above-stated reasons or otherwise.

## NOTICE

Notice is hereby given that pursuant to the New Mexico Oil Conservation Division Regulations, the following application has been submitted to the Director of the Oil Conservation Division, 2040 S. Pacheco, Santa Fe, New Mexico 87505, Telephone (505) 827-7131:

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DOLVER

RECEIVED

MAR 09 2000

Environmental Bureau  
Oil Conservation Division

SOUTH MONUMENT SURFACE WASTE  
FACILITY, L.L.C.  
P.O. BOX 418  
Hobbs, NM 88241-0418  
505-393-3174/505-392-1180

March 6, 2000

New Mexico Oil Conservation Division  
2040 South Pacheco St.  
Santa Fe, NM 87505  
ATTN: MARTYNE KEILING

**RE: SOUTH MONUMENT SURFACE WASTE FACILITY PROPOSAL  
S25, T36S, R20E, NORTH 1/2 OF NE 1/4**

Dear Ms. Keiling:

Attached please find information as requested in your letter dated 2/04/00. The proposed landfarm facility is located in the North 1/2 of the NE 1/4 and the first cell will start with Cell #1B on the West side of County Road C-41 (Maddox Rd.). If I can be of any further help or you need any more information please feel free to call me at the above telephone number.

Sincerely,

*Kena Kay Cooper*

Kena Kay Cooper

RESPONE TO QUESTIONS

- 2a. The start up location for facility will be in the North 1/2 of the NE 1/4 of S25, T20S, R36E which is the top 1/2 of the NE 1/4 for a total of 80 acres.
- b. See drawings of proposed facility (Section A) and the USGS 7.5 min topographic map (Section B).
- 3a. See (Section A).
- b. See (Section A).
- c. See (Section A).
- 5a. Treatment Zone Monitoring (See 5a.)
- 6a. Closure Cost Estimate (See 6a.)
- 7a. See (Section B) for topographic map and information from State Engineers Office. Unable to find information on water quality.

I have also enclosed photographs of proposed landfarm with a map on location of facility. See (Section C)

Landfarm will not start up on East Side of County Road until the abandoned pump jacks have been moved off of location.

**SOUTH MONUMENT SURFACE WASTE FACILITY  
P. O. BOX 418  
HOBBS, NM 88241-0418**

Jimmie T. & Betty Cooper  
P. O. Box 55  
Monument, NM 88265

To Whom It May Concern:

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Sincerely,

Kena Kay Cooper

**SOUTH MONUMENT SURFACE WASTE FACILITY  
P. O. BOX 418  
HOBBS, NM 88241-0418**

Bank of American  
Trustee of Millard Deck Estate  
P. O. Box 270  
Midland, TX 79702-0270

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Sincerely,

Kena Kay Cooper

**SOUTH MONUMENT SURFACE WASTE FACILITY  
P. O. BOX 418  
HOBBS, NM 88241-0418**

New Mexico State Land Office  
3830 N. Grime, Suite C  
Hobbs, NM 88240-1279

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Sincerely,

Kena Kay Cooper

1350' West France Line



→



WATER LEVEL INFORMATION

DATE: 2/3/2000

FROM: Johnny R. Hernandez

REQUESTED BY: Kenny Cooper

LOCATION: 205. 36E. Sec's 25 &amp; 26

A review of the records of the State Engineers Office revealed the following water levels within the location listed above. This is the most current information that this office has on record. Some of this information maybe several years old, therefore may no longer be accurate.

<u>DATE</u>	<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTION</u>	<u>SUBDIVISION</u>	<u>ELEVATION</u>	<u>W/L</u>
4/6/98	205	36E	25	NW $\frac{1}{4}$ SW $\frac{1}{4}$	3546.00'	68.03'
1/30/91	205	36E	26	SE $\frac{1}{4}$ NE $\frac{1}{4}$	3555.00	112.79'

SITE ID: 323219103190601  
 LOCATION: 20S.36E.26.24344  
 OTHER ID: 10424  
 ELEVATION: 3555.00  
 DEPTH: 265  
 SED. UNIT: 231CHNL

## WATER LEVELS IN FEET BELOW LAND SURFACE DATUM

DATE	WATER LEVEL MS	DATE	WATER LEVEL MS	DATE	WATER LEVEL MS	DATE	WATER LEVEL MS
MAR 02, 1961	118.08 R	APR 12, 1968	90.24 R	FEB 18, 1976	114.94 P	MAR 26, 1986	103.96 R
MAR 03, 1966	106.50	JAN 28, 1971	79.46	FEB 13, 1981	95.80	JAN 30, 1991	112.79

HIGHEST 79.46 JAN 28, 1971  
 LOWEST 112.79 JAN 30, 1991

SITE ID: 323219103190601  
 LOCATION: 20S.36E.26.24443  
 OTHER ID: 10425  
 ELEVATION: 3552.00  
 USE: R  
 DEPTH:  
 SED. UNIT: 231CHNL

## WATER LEVELS IN FEET BELOW LAND SURFACE DATUM

DATE	WATER LEVEL MS
MAR 02, 1961	104.89

SITE ID: 323244103200201  
 LOCATION: 20S.36E.27.22221  
 OTHER ID: 10426  
 ELEVATION: 3581.00  
 USE: U  
 DEPTH:  
 SED. UNIT: 110AVMB

## WATER LEVELS IN FEET BELOW LAND SURFACE DATUM

DATE	WATER LEVEL MS
MAR 02, 1961	90.93

DATE: 12/04/95

PROVISIONAL GROUNDWATER DATA LEA COUNTY.

PAGE 94B

SITE ID: 323146103230101  
 LOCATION: 20S.36E.32.11321  
 OTHER ID: 11252  
 ELEVATION: 3648.00  
 USE: S  
 DEPTH: 621  
 SED. UNIT: 231CHNL

HIGHEST 62.36 JAN 31, 1991  
LOWEST 119.25 MAR 02, 1961

10DATE: 12/04/95

PROVISIONAL GROUNDWATER DATA LEA COUNTY.

PAGE 946

ID: 323306103205401  
LOCATION: 208.36E.22.31144  
OTHER ID: 12995  
ELEVATION: 3605.00  
USE: U  
DEPTH: 97  
SED. UNIT: 110AVMB

WATER LEVELS IN FEET BELOW LAND SURFACE DATUM

DATE	WATER LEVEL MS	DATE	WATER LEVEL MS	DATE	WATER LEVEL MS
FEB 19, 1976	88.37	FEB 18, 1981	88.85	MAR 26, 1986	90.88
HIGHEST 88.37 FEB 19, 1976					
LOWEST 90.88 MAR 26, 1986					

SITE ID: 323256103180001  
LOCATION: 208.36E.24.44212  
OTHER ID: 13143  
ELEVATION: 3537.00  
USE: U  
DEPTH: 42  
SED. UNIT: 110AVMB

WATER LEVELS IN FEET BELOW LAND SURFACE DATUM

DATE	WATER LEVEL MS	DATE	WATER LEVEL MS	DATE	WATER LEVEL MS
MAR 25, 1954	36.44	SEP 18, 1967	36.19	APR 11, 1968	36.67
HIGHEST 36.19 SEP 18, 1967					
LOWEST 36.67 APR 11, 1968					

SITE ID: 323215103184201  
LOCATION: 208.36E.25.31224  
OTHER ID: 10423  
ELEVATION: 3546.00  
USE: U  
DEPTH: 225  
SED. UNIT: 231CHNL

WATER LEVELS IN FEET BELOW LAND SURFACE DATUM

DATE	WATER LEVEL MS	DATE	WATER LEVEL MS	DATE	WATER LEVEL MS	DATE	WATER LEVEL MS
MAR 25, 1954	117.41	MAR 02, 1961	101.45	MAR 03, 1966	75.88	APR 11, 1968	68.03
HIGHEST 68.03 APR 11, 1968							
LOWEST 117.41 MAR 25, 1954							

10DATE: 12/04/95

PROVISIONAL GROUNDWATER DATA LEA COUNTY.

PAGE 947

## OFFICE OF THE STATE ENGINEER

DISTRICT II

1900 W. 2nd STREET

ROSWELL, N.M. 88201  
FAX # (505) 623-8559

## Fax Transmittal Lead Sheet

DATE: 2-3-00 NUMBER OF PAGES ATTACHED: 3ATTENTION: Kenna Cooper

ORGANIZATION: \_\_\_\_\_

SECTION: \_\_\_\_\_

FROM: Johnny R. HernandezSECTION: District 2PHONE #: 622-6521

COMMENTS:

SEK / NEK

TIME SENT: 2:30 FAX # TO: 393-8943TELECOPIER OPERATOR: Julie





PRODUCED BY THE UNITED STATES GEOLOGICAL SURVEY  
CONTROL BY USGS, NOS/NOAA  
COMPILED FROM AERIAL PHOTOGRAPHS TAKEN 1978  
FIELD CHECKED 1979 MAP EDITED 1985  
PROJECTION TRANSVERSE MERCATOR  
GRID: 1000-METER UNIVERSAL TRANSVERSE MERCATOR ZONE 13  
100000-FOOT STATE GRID TICS NEW MEXICO, EAST ZONE  
UTM GRID DECLINATION 054 EAST  
1985 MAGNETIC NORTH DECLINATION 930 EAST  
VERTICAL DATUM NATIONAL GEODETIC VERTICAL DATUM OF 1929  
HORIZONTAL DATUM 1977 NORTH AMERICAN DATUM  
To place on the predicted North American Datum of 1983, move  
the projection lines as shown by dashed corner ticks  
(9 meters south and 44 meters east)  
There may be private inholdings within the boundaries of any  
Federal and State Reservations shown on this map

PROVISIONAL MAP  
Produced from original  
manuscript drawings. Information  
shown as of date of  
field check.

SCALE 1:24 000  
1 000 0 1000 2000 3000 4000 5000 6000 7000 FEET  
1 KILOMETER  
CONTOUR INTERVAL 5 FEET  
THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS  
FOR SALE BY U.S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225  
OR RESTON, VIRGINIA 22092

ROAD LEGEND  
Improved Road  
Unimproved Road  
Trail  
Interstate Route U.S. Route State Route  
MONUMENT SOUTH, NEW MEXICO  
PROVISIONAL EDITION 1985  
32103-E3-TF-024



## **ROUTINE INSPECTION AND MAINTENANCE PLAN**

Facility will be designed to remediate contaminated soils and not transfer contaminants into the underlying native soil or ground water. Safety and Enviromental Solutions has been contacted to test 2 to 3 water wells in the immediate area for water quality. Water wells are to be tested before soils are received. A monitor well will be installed after first soils are received in facility and before the first quarter is up.

One background soil sample will be taken from the center portion of the landfarm 2 feet below the native ground surface prior to operation. The sample will by analyzed at Cardinal Laboratories for TPH, BTEX and WQCC Metals using approved EPA methods. After obtaining soil samples boreholes will be filled with cement. Results will be forwarded to the NMOCD.

A treatment zone, not to exceed 3 feet beneath native ground surface will be monitored. A minimum of 1 random soil sample will be taken from each individual cell, with no cell being larger than 5 acres, 6 months after the first contaminated soils are received in the cell and then quarterly thereafter. The sample should be taken at 2-3 below the native ground surface. Samples will be analyzed using approved EPA methods for TPH and BTEX quarterly, major cations and anions, WQCC Metals annually. Borehole to be filled with cement after each soil sample taken.

Facility proposes to use 1-cell per customer to keep soil and records separate and for more efficient record keeping. All analytical results from treatment zone monitoring will be submitted to the OCD office in Santa Fe quarterly for reviewing.

Operator will make weekly (minimum) routine inspections of berms and facility. If a major storm occurs, heavy rainfall, high gusty winds or conditions deemed necessary, berms and facility will be inspected. Berms will be routinely inspected and maintained with records kept for a minimum of 5 years.

**OCD Environmental Bureau Closure Cost Estimate  
For  
South Monument Surface Waste Facility L.L.C., 80 acres  
February 14, 2000**

**Quarterly Analytical Analysis for two (2) years on twelve (12), five (5) acre cells**

**State Contract Laboratory Prices per analysis:**

BTEX \$40.00	x 8 quarters x 12 cells	= \$ 3,840.00
TPX \$50.00	x 8 quarters x 12 cells	= \$ 4,800.00
Metals \$200.00	x 2 years x 12 cells	= \$ 4,800.00
		<b>\$13,440.00 Analytical</b>

---

**Quarterly Sampling Time and Labor for 12 Cells**

Labor \$55.00/hour  
Sample 30 min. per cell  
Travel 2 hours  
Delivery & paperwork 1 hour

Total time = (30 min./cell x 12 cells) + 2 hours + 1 hour = 9 hours

9 hours x \$55.00/hour = \$495.00/sampling event

\$495.00/sampling event x 8 quarters = **\$3,960.00 Labor**

---

**Disking/Tilling for Two (2) Years Every Two (2) Weeks for 60 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

60 acres x 12 min. x 52 weeks = 624 hours

624 hours x \$30.00/hour = **\$18,720.00 Disking/Tilling**

## **Water for Bioremediation**

### **Price Quotes from Equipment Operators**

Water Truck \$80.00/load

\$80.00/load x 12 loads x 12 events in two (2) years = **\$11,520.00 Water**

---

## **Level Landfarm**

### **Price and Time Quotes from Equipment Operators**

D-6 Dozer and Operator \$78.00/hour

\$78.00/hour x 30 min./acre x 80 acres = **\$ 3,120.00 Level Landfarm**

---

## **Revegetation for 80 acres**

Equipment and labor cost

Tractor and seed drill \$30.00/hour @ 15 min/acre for 80 acres = \$ 600.00

Materials Cost

Native Seed mix \$10.00/lb @ 5 lb/acre for 80 acres = \$4,000.00

\$600.00 + \$4,000.00 = **\$ 4,600.00 Revegetation**

---

## **Total Closure and Revegetation Cost of an 80 acre Landfarm**

= **\$55,360.00**

**\$ 2,906.00 NMGR .0525**

**\$58,266.00 Total Financial  
Assurance**



TO CARLSBAD

HOBBS

S. HOBBS

HWY 62-180

MARLBORO ST.

DRY POND

Go West Out of Hobbs on Hwy 62-180

Go 8 miles & turn South on  
HWY 85 for 5 miles to Monument.

YOU CAN GO 2-WAYS

1st. Way - Turn West on JCT. 322 for  
2.3 miles, road curves & you see Cty Rd C-41  
(Maddox Rd) sign (dirt rd). Go 4.5 miles  
& you are in Section 25 & the NW 1/4 of NE 1/4.  
Landfarm starts on West of Rd.

To Monument

HWY 85

JCT 322

Monument

Monument Hwy C-42

8/4/11 40

State Hwy 18

TO HOBBS

TO UNICE

At Monument Continue or turn South  
onto HWY 85. Go 6 miles to MM. #11  
& take Cty Rd. C-41 (MADDOX RD) (dirt rd)  
West. Go 2.8 miles on C-41 to the  
road Y's. into Tully Cooper Rd & C-41 North  
Turn North & Landfarm is 6 1/2 miles of  
a mile.

TO OIL CENTER

HWY 85

Tully Coopers House

SECTION 25

LANDFARM

C-41 (MADDOX RD)

T. Coopers R

CC

C-41 (MADDOX RD)

CPM

BOONER STA.



Looking WEST From Cat's  
Shack.



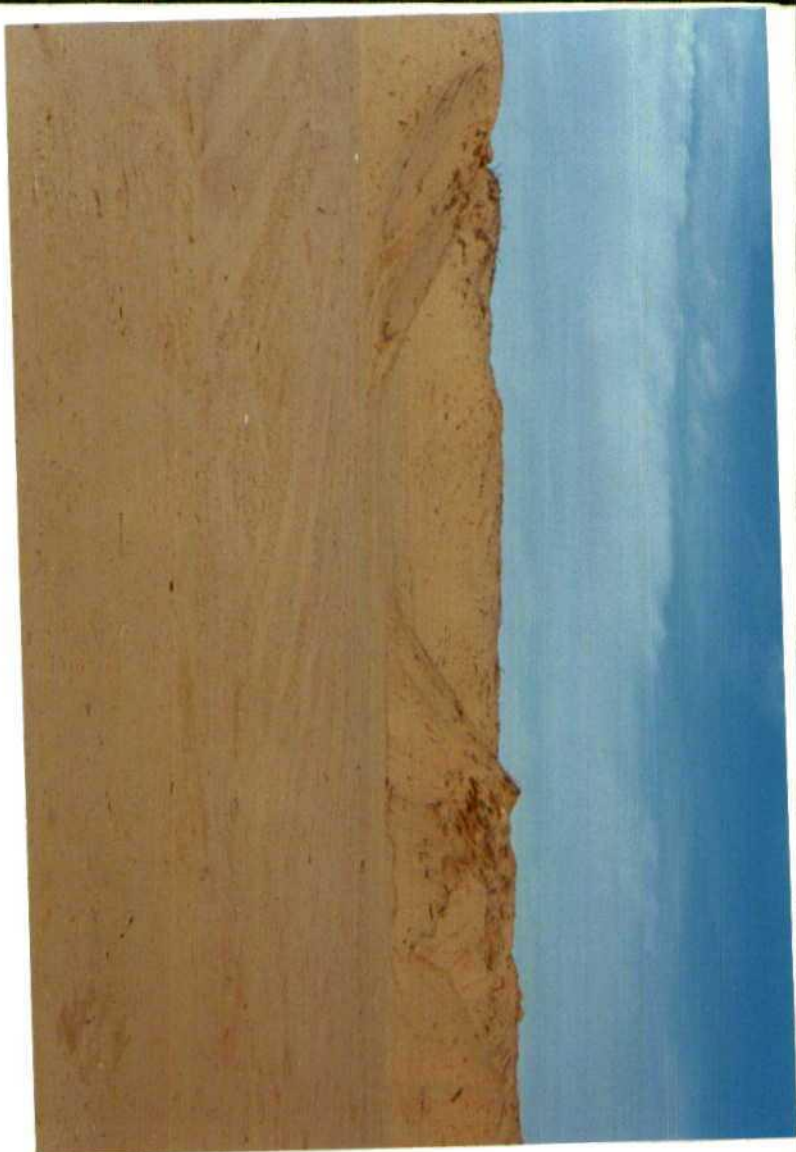
South Cattle Guard  
Looking North







**BOTTOM: START OF A PORTION OF  
RETAINING DYKE**



**TOP LEFT: MATERIAL PUSHED UP FOR  
DYKE & CLEARING OF LAND  
TOP RIGHT: WEST SIDE OF COUNTY RD.  
C41, CELL 1B**





NEW MEXICO ENERGY, MINERALS  
& NATURAL RESOURCES DEPARTMENT

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

February 4, 2000

**CERTIFIED MAIL**  
**RETURN RECEIPT NO. Z-559-573-269**

Ms. Kena Kay Cooper  
South Monument Surface Waste Facility L.L.C.  
834 W. Gold  
Hobbs, NM 88240

**RE: South Monument Surface Waste Facility L.L.C.  
Commercial Landfarm Application Review  
SW/4 of NW/4 of Section 25, Township 36 South, Range 20 East, NMPM, Lea  
County, New Mexico**

Dear Ms Cooper:

The Oil Conservation Division (OCD) has received and is in the process of reviewing the above referenced application for an oil field related commercial solids landfarm located in the SW/4 of NW/4 of Section 25, Township 36 South, Range 20 East, NMPM, Lea County, New Mexico. The following comments and requests for additional information are based on review of Rhino South Monument Surface Waste Facility L.L.C. application, dated September 17, 1999 and additional information dated October 4, 1999 and February 2, 1999.

In order for the review process to continue the OCD requires South Monument Surface Waste Facility L.L.C. to submit the additional information requested in Attachment 1. Submission of the above requested information will allow the review process to continue.

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

Sincerely,

Martyne J. Kieling  
Environmental Geologist

xc with attachments:  
Hobbs OCD Office



ATTACHMENT 1  
REQUEST FOR ADDITIONAL INFORMATION  
FEBRUARY 4, 1998  
SOUTH MONUMENT SURFACE WASTE FACILITY L.L.C..  
SW/4 of NW/4 of Section 25, Township 36 South, Range 20 East, NMPM,  
Lea County, New Mexico

1. Sections one, two, three, four and five (1,2, 3, 4 and 5) Application Form C-137
  - A. South Monument Surface Waste Facility L.L.C. (South Monument) has completed sections one, two, three, four and five (1,2, 3, 4 and 5).
2. Section six (6) Application Form C-137;
  - A. Facility Map: The permit application states the location of the proposed landfarm will be 80 acres and is in the SW/4 NW/4 of Section 25, Township 20 South, Range 36 East, which is 40 acres.

South Monument shall provide additional information regarding the location of the 40 acre discrepancy. In addition, please provide a map showing the exact 80 acre location with respect to the map provided or a map of similar scale, preferably a USGS 7.5 min topographic map.
  - B. Pipeline Buffer Zone: No contaminated soils should be placed within twenty (20) feet of any pipelines crossing the landfarm. In addition, no equipment should be operated within ten (10) feet of a pipeline. All pipelines crossing the facility should have surface markers identifying the location of the pipelines. No contaminated soils should be placed within twenty (20) feet of any well pad or tank battery within the landfarm.

South Monument shall provide a map that shows all existing pipelines, wells, well pad, lease roads, dry hole markers and tank batteries within the proposed 80 acre landfarm boundary.
3. Section seven (7) Application Form C-137;
  - A. Facility Design: The portion of the facility containing contaminated soils shall be bermed to prevent runoff and runon. A berm should be constructed and maintained such that it is capable of containing precipitation from a one-hundred year flood for that specific region.

South Monument shall provide a map of the proposed 80 acre facility that shows the perimeter berm, cell berms, and diversion berms that are to be constructed in

relation ship to the perimeter fence, facility entrance, and all buffer zones. The acreage of each cell shall be noted on the map.

4. Section eight (8) Application Form C-137;

A. South Monument has completed section eight (8).

5. Section nine (9) Application Form C-137;

A. South Monument shall submit a routine inspection and maintenance plan with additional detailed information on the following:

1) Treatment Zone Monitoring: Because a landfarm is designed to remediate contaminated soils and not transfer contaminants into the underlying native soil and/or groundwater, the applicant shall submit a plan to detect leaching of contaminants. If the native ground surface has a minimum of three feet of uncemented material (ie. soil) then a treatment zone monitoring program may be incorporated into the facility design to ensure contaminants are not leaching into the native soil/groundwater. The following procedures shall be used to monitor a treatment zone not to exceed three (3) feet beneath the landfarm:

- a. One (1) background soil sample should be taken from the center portion of the landfarm two (2) feet below the native ground surface prior to operation. The sample should be analyzed for total petroleum hydrocarbons (TPH), major cations/anions, volatile aromatic organics (BTEX), and WQCC Metals using approved EPA methods.
- b. A treatment zone not to exceed three (3) feet beneath native ground surface of the landfarm should be monitored. A minimum of one random soil sample should 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 should be taken at two to three (2-3) feet below the native ground surface.
- c. The soil samples should be analyzed using approved EPA methods for TPH and BTEX quarterly, and for major cations/anions and WQCC Metals annually.
- d. After obtaining the soil samples the boreholes should be filled with an impermeable material such as cement.

- e. Analytical results from the treatment zone monitoring should be submitted to the OCD Santa Fe office for review quarterly.

6. Section ten (10) Application Form C-137;

- A. Closure Cost Estimate: The application did not include a closure plan cost estimate. The OCD closure cost estimate was based upon an 80 acre facility with 12 five (5) acre cells or 60 acres of land to be remediated. The OCD cost breakdown is in Attachment 2.

South Monument shall submit a detailed cost estimate breakdown that can be compared with the estimate calculated by the OCD and a detailed map showing all buffer zones, the cells to be constructed within the 80 acres, and the acreage within each cell.

7. Section eleven (11) Application Form C-137;

- A. Hydrogeologic Information: The hydrogeologic information supplied by South Monument in the application estimates depth to ground water at 150 to 230 feet bgs. Additional Hydrogeologic information is required to confirm these estimates.

South Monument shall supply State Engineer Well Record information for a two (2) mile area surrounding the proposed facility. If available, information shall include water quality information. Well location and information shall be plotted on a USGS Monument South Quadrangle New Mexico - Lea Co. 7.5 min series Topographic map.

8. Section twelve (12) Application Form C-137

- A. Public Notice: South Monument is required to notify landowners within the one mile of the perimeter of the proposed facility. And to publish public notice in the two required news papers and to notify the county commission where the facility is proposed to be located.

The OCD will write a notice for South Monument to be published in the two required papers upon receipt of the requested materials and upon review of a complete permit application.

South Monument may draft a notice to send to the landowners within 1 mile and the county commission. A copy and proof of such notice (certified return receipt) shall be furnished to the OCD. The notice must include the following:

Notice is hereby given that pursuant to the New Mexico Oil Conservation

Division Regulations, the following application has been submitted to the Director of the Oil Conservation Division, 2040 S. Pacheco, Santa Fe, New Mexico 87505, Telephone (505) 827-7131:

**South Monument Surface Waste Facility L.L.C., Operator, Kena Kay Cooper, 834 W. Gold, Hobbs, New Mexico, 88240, has submitted for approval an application to construct and operate a Rule 711 commercial landfarm soils remediation facility located in the SW/4 Section 25, Township 20 South, Range 36 East, N.M.P.M., Lea County, New Mexico. Hydrocarbon contaminated soils associated with oil and gas production operations will be remediated by spreading them on the ground surface in 6 inch lifts or less and periodically disking them to enhance biodegradation of contaminants. The permit application addresses the construction, operations, spill/leak prevention and monitoring procedures to be incorporated at the proposed site.**

Any interested person may obtain further information from the Oil Conservation Division and may submit written comments to the Director of the Oil Conservation Division at the address given above. The application may be viewed at the above address or at or at the Hobbs district office at 1625 N. French Drive, Hobbs, New Mexico between 8:00 a.m. and 4:00 p.m., Monday thru Friday. Prior to ruling on any proposed application, the Director of the Oil Conservation Division shall allow at least thirty (30) days after the date of publication of this notice during which comments may be submitted and public hearing may be requested by any interested person. Request for public hearing shall set forth the reasons why a hearing shall be held. A hearing will be held if the director determines that there is significant public interest.

9. Section Thirteen (13) Application Form C-137
  - A. South Monument has completed section thirteen (13).
10. Section fourteen (14) Application Form C-137
  - A. South Monument has completed section fourteen (14).
11. Section fifteen (15) Application Form C-137
  - A. South Monument has completed section fifteen (15).

**ATTACHMENT 2**  
**OCD Environmental Bureau Closure Cost Estimate**  
**For**  
**South Monument Surface Waste Facility L.L.C., 80 acres**  
**February 4, 2000**

**Quarterly Analytical Analysis for two years on twelve (12), five (5) acre cells**

**State Contract Laboratory Prices per analysis:**

BTEX \$ 40.00	x 8 quarters x 12 cells	= \$3,840.00
TPH \$ 50.00	x 8 quarters x 12 cells	= \$4,800.00
Metals \$200.00	x 2 years x 12 cells	= <u>\$4,800.00</u>
		<b>\$13,440.00 Analytical</b>

---

**Quarterly Sampling Time and Labor for 12 Cells**

Labor \$55.00/hour  
Sample 30 min per cell  
Travel 2 hour  
Delivery & Paperwork 1 hour

Total Time = (30min/cell x 12 cells) + 2 hours + 1 hours = 9 hours

9 hours x \$55.00/hour = \$495.00/sampling event

\$495.00/sampling event x 8 quarters = **\$3,960.00 Labor**

---

**Disking/Tilling for Two Years Every Two Weeks for 60 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

60 acres x 12 min x 52 weeks = 624 hours

624 hours x \$30.00/hour = **\$ 18,720.00 Disking/Tilling**

---

## **Water for Bioremediation**

### **Price Quotes from Equipment Operators**

Water Truck \$120.00/load

\$120.00/load x 12 loads x 12 Events in Two Years = **\$17,280.00 Water**

---

## **Level Landfarm**

### **Price and Time Quotes from Equipment Operators**

D-6 Dozer and Operator \$85.00/hour

\$85.00/hour x 30 min/acre x 80 acres = **\$3,400.00 Level Landfarm**

---

## **Revegetation for 80 Acres**

Equipment an labor cost

Tractor and seed drill \$30.00/hour @ 15 min/acre for 80 acres = \$600.00

Materials Cost

Native Seed mix \$10.00/lb @ 5 lb/acre for 80 acres = \$4,000.00

\$600.00 + \$4,000.00 = **\$4,600.00 Revegetation**

---

## **Total Closure and Revegetation Cost of an 80 acre Landfarm**

= \$ 61,400.00  
\$ 3,454.00 NMGRT .05625  
\$ 64,854.00 Total Financial  
Assurance

RECEIVED

SECTION 26

FFA n 3 2000

Environmental Bureau  
Oil Conservation Division

EXISTING FENCE LINE WEST

DEVERSION DYKE

DYKE 100'

Initial START up AREA WEST SIDE of Maddox Road  
SAC 25

700' DYKE

Cell #3  
5 ACRE +-

DYKE

Cell #2  
5 ACRE +-

DYKE

Cell #1  
5 ACRE +-

DYKE

Existing Fence South Boundary

100' ↓

Gate  
Office

DYKE

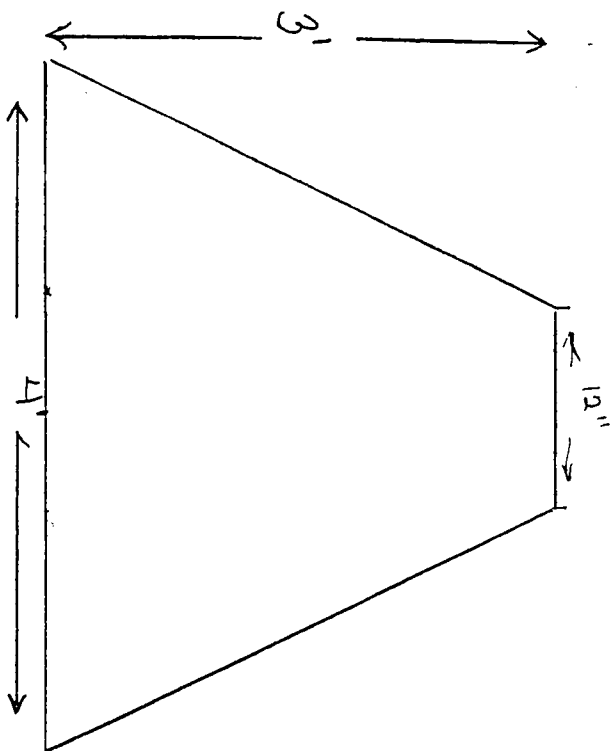
FENCE LINE 1320'

DYKE

(Maddox Road) Calichie County Road

North

Cattle  
Guard



Profile of Dyke Construction  
 WATER Flow is From North West  
 To South East in this AREA.  
 A diversionary Dam will also  
 be constructed at the North  
 West Corner of the Remediation  
 Cells.  
 This diversionary dam will be  
 moved along with Expansion To  
 the north.

RECEIVED

FEB 13 2000

Environmental Bureau  
 Oil Conservation Division



**SOUTH MONUMENT SURFACE WASTE FACILITY  
P. O. Box 418  
Hobbs, NM 88241-0418  
505-392-1180**

**RECEIVED**

**FEB 03 2000**

**Environmental Bureau  
Oil Conservation Division**

February 2, 2000

New Mexico Oil Conservation Division  
2040 South Pacheco Street  
Santa Fe, New Mexico 87505  
ATTN: MARTYNE KIELING

RE: SOUTH MONUMENT SURFACE WASTE FACILITY  
S25 T20S R36E LOCATED IN MONUMENT, NM

Dear Ms. Kieling:

Enclosed please find the documents for our Corporate structure and the drawings of proposed landfarm facility. Due to advice of our lawyer and accountant two different L.L.C.'s were set up. The land will be a separate entity from the ranch under the O-Cross Ranch L.L.C. Company. The operations and the maintenance of the landfarm will fall under the South Monument Surface Waste Facility, L.L.C. Partners were added to the corporation due to the fact that they can benefit the running and maintenance needed to properly maintain the facility.

If I can be of any further help or any more information is needed to please feel free to contact me.

Sincerely,

*Kena Kay Cooper*

Kena Kay Cooper  
WORK # 505-393-3174

## ARTICLES OF ORGANIZATION

OF

### O-CROSS RANCH COMPANY, L.L.C.

The undersigned, acting as organizer of a limited liability company pursuant to the New Mexico Limited Liability Company Act, adopt(s) the following Articles of Organization:

#### ARTICLE 1 NAME

The name of the limited liability company is O-Cross Ranch Company, L.L.C. ("Company").

#### ARTICLE 2 DURATION

The latest date upon which the Company is to dissolve is:

December 31, 2030

#### ARTICLE 3 AGENT AND ADDRESS

The street address and city of the Company's initial registered office are County Road C-41 (Box 6) Monument, New Mexico 88265, and the name of its initial registered agent at that office is Delbert Dale "Tuffy" Cooper. The street address and city of the Company's principal place of business is County Road C-41 (Box 6), Monument, New Mexico 88265.

#### ARTICLE 4 MANAGEMENT

Management of the Company is vested in its managers, who may be members. Initially the Company shall have two (2) managers. All third parties may rely on documents executed by a manager as binding the Company. The name and address of the members who shall serve as manager until the first annual meeting of members or until their successors are elected and shall qualify are as follows:

<u>NAME</u>	<u>ADDRESS</u>
Delbert Dale "Tuffy" Cooper	County Road C-41 (Box 6) Monument, New Mexico 88265

Betty Rose Cooper

County Road C-41 (Box 6)  
Monument, New Mexico 88265

#### ARTICLE 5 CONTINUATION

Upon the death, retirement, resignation, expulsion, bankruptcy, or dissolution of a member or the occurrence of any other event which terminates the continued membership of a member of the Company, the remaining members may unanimously agree to continue the business of the Company.


#### ARTICLE 6 INTERNAL AFFAIRS

Any other provisions including provisions for the regulation of the internal affairs of the Company are: (attach addendum, if needed) None

Dated: February 2, 2000

  
Delbert Dale "Tuffy" Cooper

County Road C-41 (Box 6)  
Monument, New Mexico 88265

  
Betty Rose Cooper

County Road C-41 (Box 6)  
Monument, New Mexico 88260

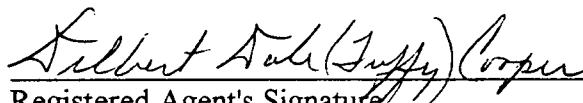
Organizers' Signatures and  
Addresses

AFFIDAVIT OF ACCEPTANCE OF APPOINTMENT  
BY DESIGNATED INITIAL REGISTERED AGENT

To the State Corporation Commission  
State of New Mexico

STATE OF NEW MEXICO       )  
  ) SS.  
COUNTY OF LEA               )

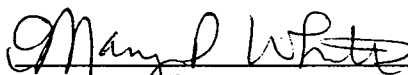
The undersigned hereby accepts appointment as registered agent for O-Cross Ranch Company, L.L.C., a limited liability company, which is named in the annexed Articles of Organization.

  
\_\_\_\_\_  
Registered Agent's Signature  
Delbert Dale "Tuffy" Cooper

Subscribed and sworn to before me on February 2, 2000, by Delbert Dale "Tuffy" Cooper, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed.

My commission expires:

4/26/00

  
\_\_\_\_\_  
Notary Public

## ARTICLES OF ORGANIZATION

OF

### SOUTH MONUMENT SURFACE WASTE FACILITY, L.L.C.

The undersigned, acting as organizer of a limited liability company pursuant to the New Mexico Limited Liability Company Act, adopt(s) the following Articles of Organization:

#### ARTICLE 1 NAME

The name of the limited liability company is South Monument Waste Facility, L.L.C. ("Company").

#### ARTICLE 2 DURATION

The latest date upon which the Company is to dissolve is:

December 31, 2030

#### ARTICLE 3 AGENT AND ADDRESS

The street address and city of the Company's initial registered office are 834 West Gold, Hobbs, New Mexico 88240, and the name of its initial registered agent at that office is Kena Kay Cooper. The street address and city of the Company's principal place of business is 834 West Gold, Hobbs, New Mexico 88240.

#### ARTICLE 4 MANAGEMENT

Management of the Company is vested in its managers, who may be members. Initially the Company shall have four (4) managers. All third parties may rely on documents executed by a manager as binding the Company. The name and address of the members who shall serve as manager until the first annual meeting of members or until their successors are elected and shall qualify are as follows:

<u>NAME</u>	<u>ADDRESS</u>
Clay Tom Cooper	834 West Gold Hobbs, New Mexico 88240

Kena Kay Cooper

834 West Gold  
Hobbs, New Mexico 88240

David H. Walton

400 East Alto  
Hobbs, New Mexico 88240

Judy ("Grinny") Walton

400 East Alto  
Hobbs, New Mexico 88240

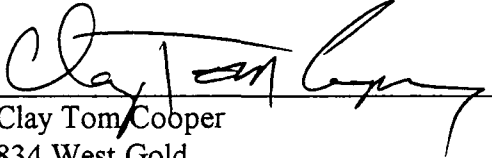
#### ARTICLE 5 CONTINUATION

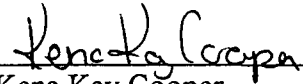
Upon the death, retirement, resignation, expulsion, bankruptcy, or dissolution of a member or the occurrence of any other event which terminates the continued membership of a member of the Company, the remaining members may unanimously agree to continue the business of the Company.

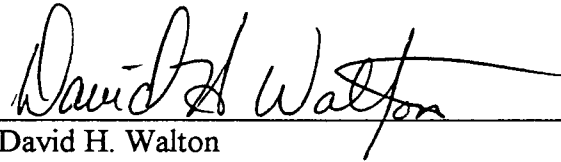
#### ARTICLE 6 INTERNAL AFFAIRS

Any other provisions including provisions for the regulation of the internal affairs of the Company are: (attach addendum, if needed) None

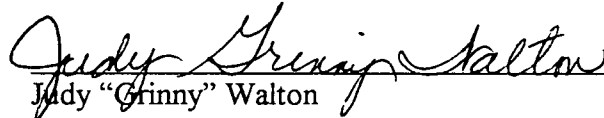
Dated: February 15, 2000

  
\_\_\_\_\_  
Clay Tom Cooper  
834 West Gold  
Hobbs, New Mexico 88240

  
\_\_\_\_\_  
Kena Kay Cooper  
834 West Gold  
Hobbs, New Mexico 88240



David H. Walton  
400 East Alto  
Hobbs, New Mexico 88240



Judy "Granny" Walton  
400 East Alto  
Hobbs, New Mexico 88240

Organizers' Signatures and  
Addresses

AFFIDAVIT OF ACCEPTANCE OF APPOINTMENT  
BY DESIGNATED INITIAL REGISTERED AGENT

To the State Corporation Commission  
State of New Mexico

STATE OF NEW MEXICO           )  
  ) SS.  
COUNTY OF LEA                )

The undersigned hereby accepts appointment as registered agent for South Monument Surface Waste Facility, L.L.C., a limited liability company, which is named in the annexed Articles of Organization.

Kena Kay Cooper  
Registered Agent's Signature  
Kena Kay Cooper

Subscribed and sworn to before me on February 2, 2000, by Kena Kay Cooper, to me known to be the person described in and who executed the foregoing instrument and acknowledged that she executed the same as her free act and deed.

My commission expires:

4/24/00

Mary P White  
Notary Public



SECTION 26

EXISTING FENCE LINE WEST

DEVERSION DYKE

DYKE 100'

700'

DYKE

Initial START up Area West side of Maddox Road  
SAC 25

Cell #3

5 ACRE ±

DYKE

Cell #2

5 ACRE ±

DYKE

Cell #1

5 ACRE ±

DYKE

Existing Fence South Boundary

100'

↕

Office

Gate

DYKE

FENCE LINE 1320'

DYKE

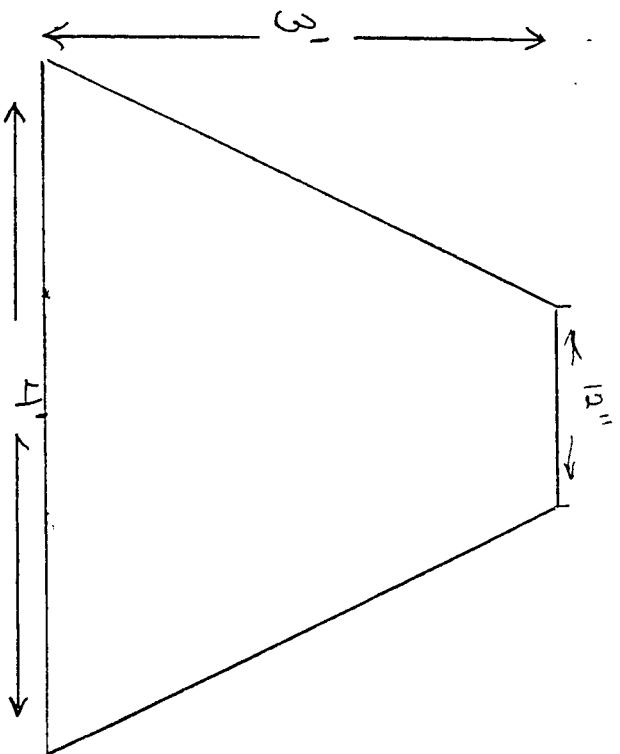
(Maddox Road) Calichie County Road

North

Cattle Guard

RECEIVED

FEB 03 2000  
Environmental Bureau  
Oil Conservation Division



Profile of Dyke Construction  
 WATER Flow is From North West  
 To South East in This AREA.  
 A diversionary Dam will also  
 Be constructed at The North  
 West Corner of The Remediation  
 Cells.  
 This diversionary dam will be  
 Moved along with Expansion To  
 The north.

RECEIVED

FEB 03 2000

Environmental Bureau  
Oil Conservation Division

October 4, 1999

State of New Mexico  
Oil Conservation Division  
2040 South Pacheco  
Santa Fe, NM 87505  
**ATTN: MARTYNE KIELING**

**RE: FORM C-137**

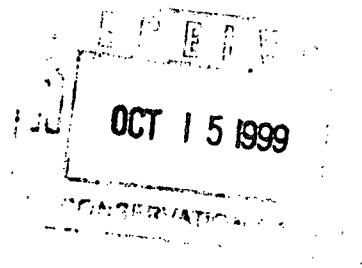
Dear Ms. Kieling:

Attached please find a new Form C-137 to replace Form C-137 submitted on September 19, 1999. I mistakenly reversed the Township and Range. I apologize for any inconvenience this may have caused you. If you have any questions please free to call me at work (505-393-3174) or at home (505-392-1180).

Sincerely,

*Kena Kay Cooper*

Kena Kay Cooper



District I  
1625 N. French Dr., Hobbs, NM 88240  
District II  
811 South First, Artesia, NM 88210  
District III  
1000 Rio Brazos Road, Aztec, NM 87410  
District IV  
2040 South Pacheco, Santa Fe, NM 87505

State of New Mexico  
Energy Minerals and Natural Resources

Oil Conservation Division  
2040 South Pacheco  
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: South Monument Surface Waste Facility

Address: 834 W. Gold, Hobbs, NM 88240

Contact Person: Kena Kay Cooper

Phone: 505-392-1180 (Home)  
505-393-3174 (Work)

3. Location: SW/4 NW/4 Section 25 Township 20S Range 36E

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 H<sub>2</sub>S.

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

### 15. CERTIFICATION

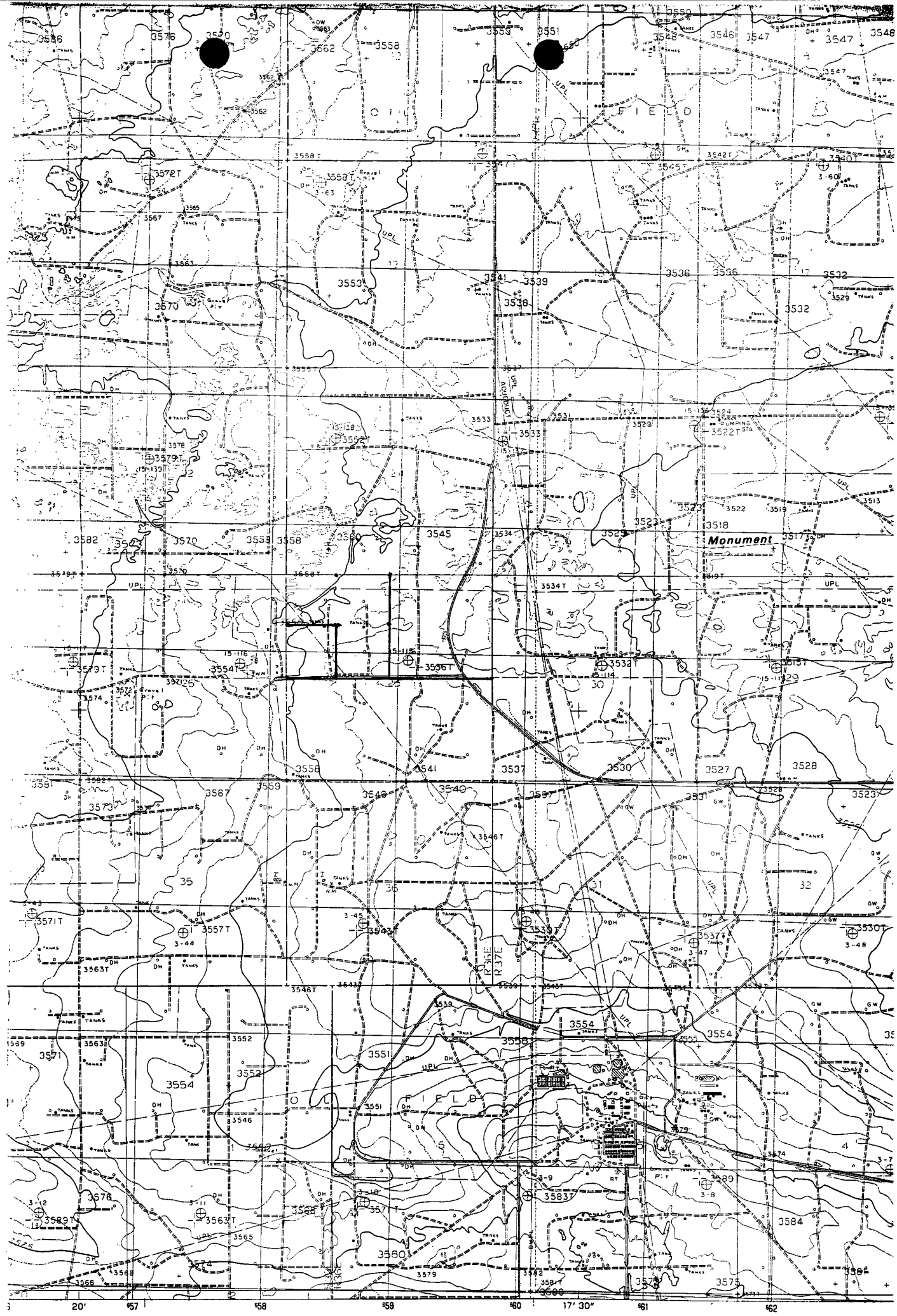
I hereby certify that the information submitted with this application is true and correct to the best of my knowledge and belief.

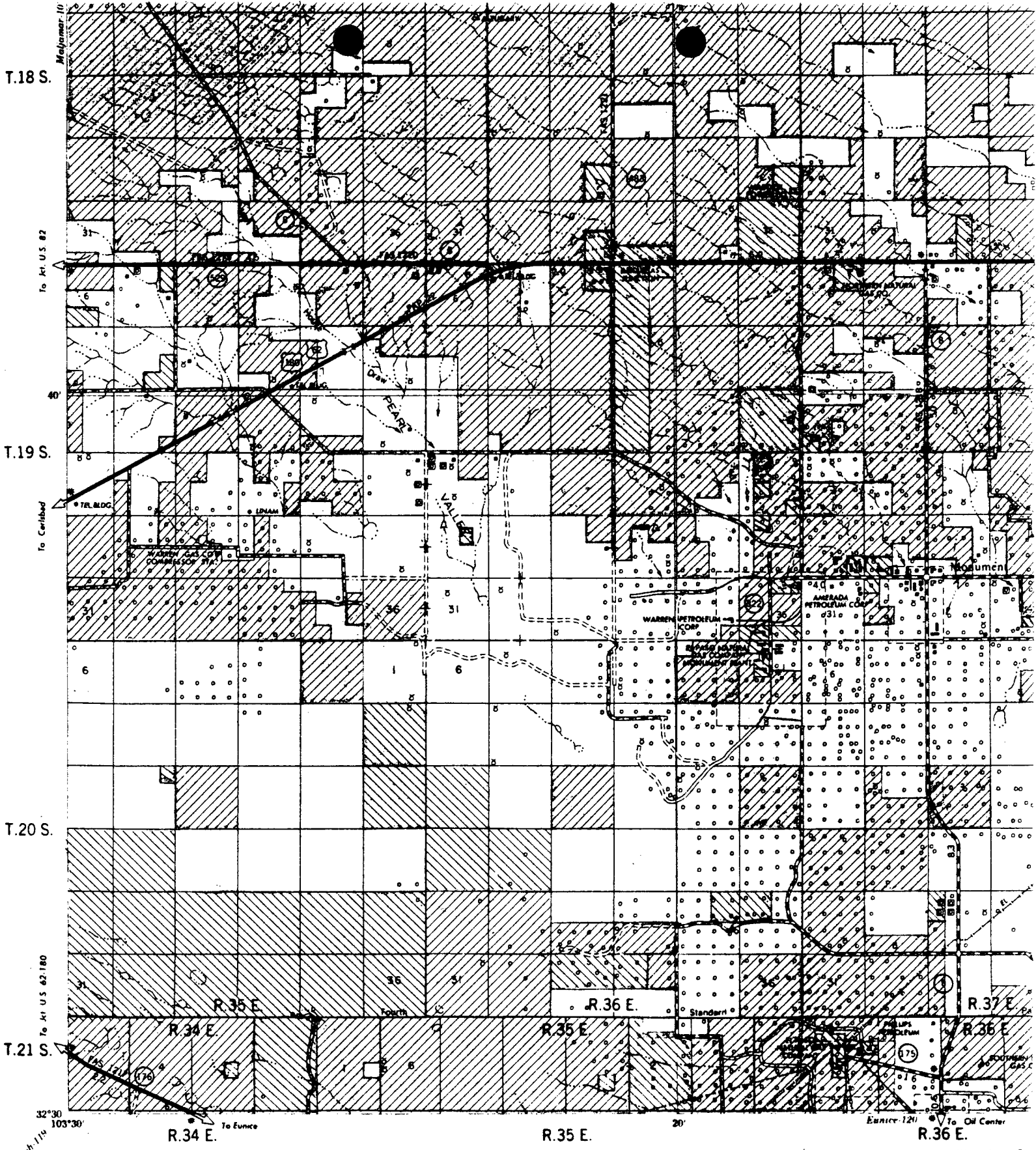
Name: Kena Kay Cooper

Title: Operator

Signature: Kena Kay Cooper

Date: 10/04/99





Control by National Geodetic Survey; U.S. Geological Survey;  
U.S. Forest Service; Bureau of Land Management and Planning Division.  
Modified Conic Projection Standard Parallel 34½° North American Datum.

Scale  $\frac{1}{188790}$  or 1 Inch  
1 1/4 0 1 2  
STATUTE MILES



RECEIVED

FEB 03 2000

Environmental Bureau  
Oil Conservation Division

SECTION 26

EXISTING FENCE LINE WEST

DEVERSION DYKE

DYKE 100'

700'

DYKE

Sec 25

Initial START up AREA West side of Maddox Road

Cell #3

5 ACRE +/-

DYKE

Cell #2

5 ACRE +/-

DYKE

Cell #1

5 ACRE +/-

DYKE

Existing Fence South Boundary

100'

Office  
Gate

DYKE

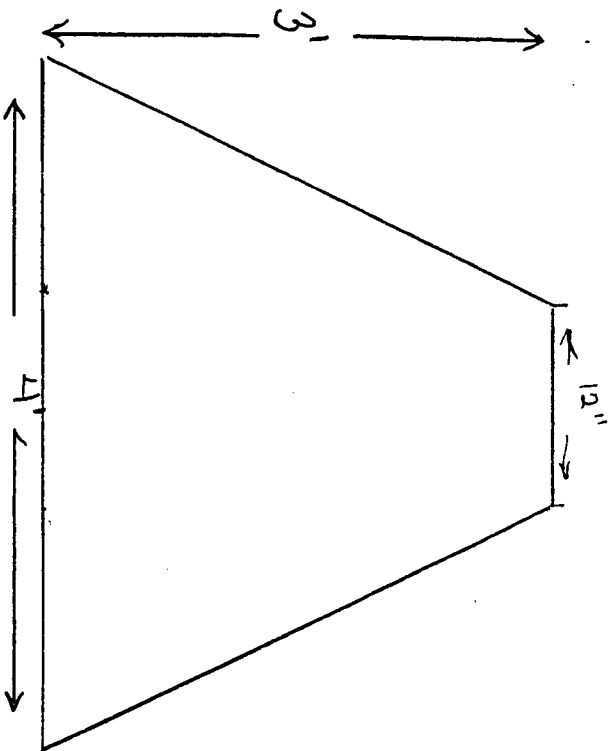
FENCE LINE 1320'

DYKE

(Maddox Road) Calichie County Road

North

Cattle  
Guard



Profile of Dyke Construction  
 WATER Flow is From North West  
 To South East in This AREA.  
 A diversionary Dam will also  
 be constructed at The North  
 West Corner of The Remediation  
 Cells.  
 This diversionary dam will be  
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 The north.

RECEIVED

FEF 03 2000

Environmental Bureau  
 Oil Conservation Division

**SOUTH MONUMENT SURFACE WASTE FACILITY**  
**P. O. Box 418**  
**Hobbs, NM 88241-0418**  
**505-392-1180**

**RECEIVED**

**FEB 03 2000**

**Environmental Bureau**  
**Oil Conservation Division**

February 2, 2000

New Mexico Oil Conservation Division  
2040 South Pacheco Street  
Santa Fe, New Mexico 87505  
ATTN: MARTYNE KIELING

RE: SOUTH MONUMENT SURFACE WASTE FACILITY  
S25 T20S R36E LOCATED IN MONUMENT, NM

Dear Ms. Kieling:

Enclosed please find the documents for our Corporate structure and the drawings of proposed landfarm facility. Due to advice of our lawyer and accountant two different L.L.C.'s were set up. The land will be a separate entity from the ranch under the O-Cross Ranch L.L.C. Company. The operations and the maintenance of the landfarm will fall under the South Monument Surface Waste Facility, L.L.C. Partners were added to the corporation due to the fact that they can benefit the running and maintenance needed to properly maintain the facility.

If I can be of any further help or any more information is needed to please feel free to contact me.

Sincerely,

*Kena Kay Cooper*

Kena Kay Cooper  
WORK # 505-393-3174

ARTICLES OF ORGANIZATION  
OF  
O-CROSS RANCH COMPANY, L.L.C.

The undersigned, acting as organizer of a limited liability company pursuant to the New Mexico Limited Liability Company Act, adopt(s) the following Articles of Organization:

ARTICLE 1 NAME

The name of the limited liability company is O-Cross Ranch Company, L.L.C. ("Company").

ARTICLE 2 DURATION

The latest date upon which the Company is to dissolve is:

December 31, 2030

ARTICLE 3 AGENT AND ADDRESS

The street address and city of the Company's initial registered office are County Road C-41 (Box 6) Monument, New Mexico 88265, and the name of its initial registered agent at that office is Delbert Dale "Tuffy" Cooper. The street address and city of the Company's principal place of business is County Road C-41 (Box 6), Monument, New Mexico 88265.

ARTICLE 4 MANAGEMENT

Management of the Company is vested in its managers, who may be members. Initially the Company shall have two (2) managers. All third parties may rely on documents executed by a manager as binding the Company. The name and address of the members who shall serve as manager until the first annual meeting of members or until their successors are elected and shall qualify are as follows:

NAME

Delbert Dale "Tuffy" Cooper

ADDRESS

County Road C-41 (Box 6)  
Monument, New Mexico 88265

Betty Rose Cooper

County Road C-41 (Box 6)  
Monument, New Mexico 88265

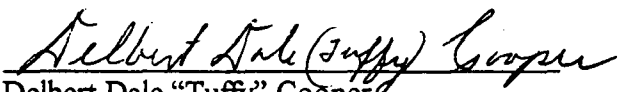
#### ARTICLE 5 CONTINUATION


Upon the death, retirement, resignation, expulsion, bankruptcy, or dissolution of a member or the occurrence of any other event which terminates the continued membership of a member of the Company, the remaining members may unanimously agree to continue the business of the Company.

#### ARTICLE 6 INTERNAL AFFAIRS

Any other provisions including provisions for the regulation of the internal affairs of the Company are: (attach addendum, if needed) None

Dated: February 2, 2000

  
Delbert Dale "Tuffy" Cooper  
County Road C-41 (Box 6)  
Monument, New Mexico 88265

  
Betty Rose Cooper  
County Road C-41 (Box 6)  
Monument, New Mexico 88260

Organizers' Signatures and  
Addresses

AFFIDAVIT OF ACCEPTANCE OF APPOINTMENT  
BY DESIGNATED INITIAL REGISTERED AGENT

To the State Corporation Commission  
State of New Mexico

STATE OF NEW MEXICO       )  
  ) SS.  
COUNTY OF LEA               )

The undersigned hereby accepts appointment as registered agent for O-Cross Ranch Company, L.L.C., a limited liability company, which is named in the annexed Articles of Organization.

Delbert Dale (Tuffy) Cooper  
Registered Agent's Signature  
Delbert Dale "Tuffy" Cooper

Subscribed and sworn to before me on February 2, 2000, by Delbert Dale "Tuffy" Cooper, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed.

My commission expires:

4/26/00

Mary D White  
Notary Public

## ARTICLES OF ORGANIZATION

OF

### SOUTH MONUMENT SURFACE WASTE FACILITY, L.L.C.

The undersigned, acting as organizer of a limited liability company pursuant to the New Mexico Limited Liability Company Act, adopt(s) the following Articles of Organization:

#### ARTICLE 1 NAME

The name of the limited liability company is South Monument Waste Facility, L.L.C. ("Company").

#### ARTICLE 2 DURATION

The latest date upon which the Company is to dissolve is:

December 31, 2030

#### ARTICLE 3 AGENT AND ADDRESS

The street address and city of the Company's initial registered office are 834 West Gold, Hobbs, New Mexico 88240, and the name of its initial registered agent at that office is Kena Kay Cooper. The street address and city of the Company's principal place of business is 834 West Gold, Hobbs, New Mexico 88240.

#### ARTICLE 4 MANAGEMENT

Management of the Company is vested in its managers, who may be members. Initially the Company shall have four (4) managers. All third parties may rely on documents executed by a manager as binding the Company. The name and address of the members who shall serve as manager until the first annual meeting of members or until their successors are elected and shall qualify are as follows:

<u>NAME</u>	<u>ADDRESS</u>
Clay Tom Cooper	834 West Gold Hobbs, New Mexico 88240

Kena Kay Cooper

834 West Gold  
Hobbs, New Mexico 88240

David H. Walton

400 East Alto  
Hobbs, New Mexico 88240

Judy ("Grinny") Walton

400 East Alto  
Hobbs, New Mexico 88240

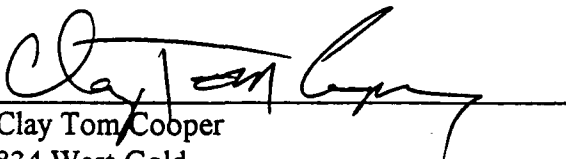
#### ARTICLE 5 CONTINUATION

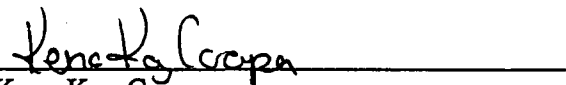
Upon the death, retirement, resignation, expulsion, bankruptcy, or dissolution of a member or the occurrence of any other event which terminates the continued membership of a member of the Company, the remaining members may unanimously agree to continue the business of the Company.

#### ARTICLE 6 INTERNAL AFFAIRS

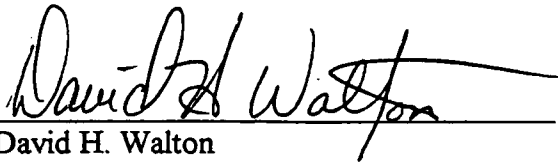
Any other provisions including provisions for the regulation of the internal affairs of the Company are: (attach addendum, if needed) None

Dated: February 15, 2000

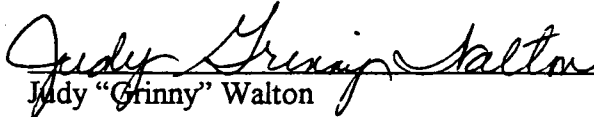
  
Clay Tom Cooper  
834 West Gold  
Hobbs, New Mexico 88240

  
Kena Kay Cooper  
834 West Gold  
Hobbs, New Mexico 88240





David H. Walton  
400 East Alto  
Hobbs, New Mexico 88240



Judy "Granny" Walton  
400 East Alto  
Hobbs, New Mexico 88240

Organizers' Signatures and  
Addresses

AFFIDAVIT OF ACCEPTANCE OF APPOINTMENT  
BY DESIGNATED INITIAL REGISTERED AGENT

To the State Corporation Commission  
State of New Mexico

STATE OF NEW MEXICO            )  
  ) SS.  
COUNTY OF LEA                 )

The undersigned hereby accepts appointment as registered agent for South Monument Surface Waste Facility, L.L.C., a limited liability company, which is named in the annexed Articles of Organization.

Kena Kay Cooper  
Registered Agent's Signature  
Kena Kay Cooper

Subscribed and sworn to before me on February 2, 2000, by Kena Kay Cooper, to me known to be the person described in and who executed the foregoing instrument and acknowledged that she executed the same as her free act and deed.

My commission expires:

4/24/00

Mary P White  
Notary Public

SECTION 26

EXISTING FENCE LINE WEST

PIVOT POINT Dike

Dike 100'

700'

Dike

Initial START up Area West side of Maddox Road  
Sec 25

Cell #3

5 ACRE +-

Dike

Cell #2

5 ACRE +-

Dike

Cell #1

5 ACRE +-

Dike

Existing Fence South Boundary

100'

Dike

Office

Gate

Dike

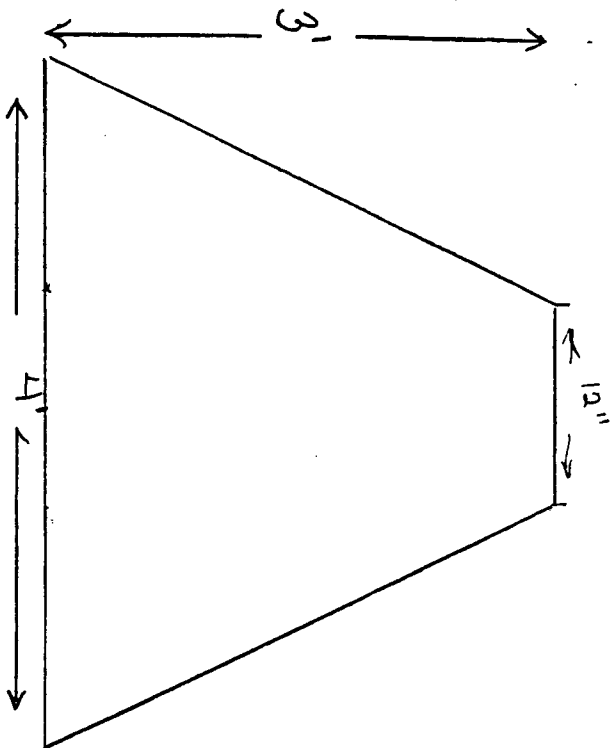
FENCE LINE 1320'

Dike

(Maddox Road) Caliche County Road

North

Cattle Guard



Profile of Dyke Construction  
 WATER Flow is From North West  
 To South East in This AREA.

A diversionary Dam will also  
 be constructed at the North  
 West Corner of the Remediation  
 Cells.

This diversionary dam will be  
 moved along with Expansion To  
 the north.

EXP. 10/15/99  
OCT 15 1999  
OIL CONSERVATION DIV.

October 4, 1999

State of New Mexico  
Oil Conservation Division  
2040 South Pacheco  
Santa Fe, NM 87505  
**ATTN: MARTYNE KIELING**

**RE: FORM C-137**

Dear Ms. Kieling:

Attached please find a new Form C-137 to replace Form C-137 submitted on September 19, 1999. I mistakenly reversed the Township and Range. I apologize for any inconvenience this may have caused you. If you have any questions please free to call me at work (505-393-3174) or at home (505-392-1180).

Sincerely,

*Kena Kay Cooper*

Kena Kay Cooper

District I  
1625 N. French Dr., Hobbs, NM 88240  
District II  
811 South First, Artesia, NM 88210  
District III  
1000 Rio Brazos Road, Aztec, NM 87410  
District IV  
2040 South Pacheco, Santa Fe, NM 87505

State of New Mexico  
Energy Minerals and Natural Resources  
Oil Conservation Division  
2040 South Pacheco  
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: South Monument Surface Waste Facility

Address: 834 W. Gold, Hobbs, NM 88240

Contact Person: Kena Kay Cooper

505-392-1180 (Home)  
Phone: 505-393-3174 (Work)

3. Location: SW/4 NW/4 Section 25 Township 20S Range 36E  
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 H<sub>2</sub>S.

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: Kena Kay Cooper

Title: Operator

Signature: Kena Kay Cooper

Date: 10/04/99

RECEIVED

SEP 27 1999

Environmental Bureau  
Oil Conservation Division

RECEIVED

SEP 27 1999

Environmental Bureau  
Oil Conservation Division

# COMMERCIAL SURFACE WASTE MANAGEMENT FACILITY PROPOSAL

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4.     **OCD FORM C-137**
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6.     **DESCRIPTION OF FACILITY/W ATTACHMENT**
7.     **CONSTRUCTION/OPERATION OF FACILITY**
  - A.    **CONSTRUCTION OF FACILITY**
  - B.    **OPERATION OF FACILITY**
8.     **CONTINGENCY PLAN FOR CLEAN UP**
9.     **ROUTINE INSPECTION & MAINTENANCE PLAN**
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12.    **NOTICE REQUIREMENTS**
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14.    **ATTACHMENTS**



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District IV  
2040 South Pacheco, Santa Fe, NM 87505

State of New Mexico  
Energy Minerals and Natural Resources  
Oil Conservation Division  
2040 South Pacheco  
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: South Monument Surface Waste Facility

Address: 834 W. Gold, Hobbs, NM 88240

Contact Person: Kena Kay Cooper Phone: 505-392-1180 (Home)  
505-393-3174 (Work)

3. Location: SW /4 NW /4 Section 25 Township 36E Range 20S  
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.

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13. Attach a contingency plan in the event of a release of H<sub>2</sub>S.

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: Kena Kay Cooper

Title: Operator

Signature: Kena Kay Cooper

Date: 9/17/99

**5. LANDOWNERS OF FACILITY/LANDOWNERS WITHIN 1 MILE**

Landowner of Facility:

Dale Cooper Family Trust  
Dale & Betty Rose Cooper  
P.O. Box 6  
Monument, NM 88265  
Home Phone #505-393-6094

Clay & Kena Kay Cooper  
834 W. Gold  
Hobbs, NM 88240  
Home Phone #505-392-1180  
Work Phone #505-393-3174

Landowner's Within 1 Mile:

Jimmie T. & Betty Cooper  
P.O. Box 55  
Monument, NM 88265

Bank of America  
Trustee of Millard Deck Estate  
P.O. Box 270  
Midland, TX 79702-0270  
ATTN: Tim Wolters

New Mexico State Land Office  
3830 N. Grimes, Suite C  
Hobbs, NM 88240-1279

## **6. DESCRIPTION OF FACILITY**

Proposed facility will be an unlined Commercial Surface Waste Management Facility for use in treating oilfield wastes classified as exempt from RCRA Subtitle C Regulations or Non-Hazardous by characteristic testing located in Lea County, New Mexico.

No free liquids or solids with free liquids shall be accepted at facility. At no time will land farm accept wastes which are hazardous by testing or listing.

Facility will begin with 80 acres for start up in Section 25 on both sides of Maddox Road, which is a county road. Section 26 and half of Section 23 are available for future expansion adjoining the initial site for a total of 1040 acres.

See following diagram of existing fence and proposed fence. Noted are any pipeline crossings. There are no existing tanks, chemical storage areas, or any other facilities.

Proposed site will consist of 80 acres for start up in Section 25 on both sides of Maddox Road (County Rd.) Section 26 and 1/2 of Section 27 are available for future expansion adjoining the proposed site for a total 1040 acres.

N  
W ↑ E  
S

Section 24

Section 24

Section Line

Maddox Road

CATTLE Guard

1 mile From CATTLE Guard To Section Line

TEX NEW MEX EOTT PIPELINE

EXISTING FENCE

Section 25

GPM Gas Pipeline

Cooper Ranch House

Cooper Road

CATTLE Guard

CATTLE Guard

3 mile TO STATE Road 8  
Maddox Road

## **7. FACILITY CONSTRUCTION/OPERATION**

### **7 A. CONSTRUCTION OF FACILITY**

The proposed Surface Waste Facility is not located near, or in any water coarse, lakebed, sinkhole or other depression. Facility has existing and new fence will be built to enclose land farm. Entrance will have gate with lock and cattle guard if needed. A sign will be posted at entrance legible at least 50 feet with the following information (1). Name of facility (2). Location by section, township and range (3). Emergency phone numbers.

A berm will be built inside of fence to contain collected soil and to prevent runoff/runon. Berms will be constructed and maintained so that it is capable of containing precipitation from a 100 Year Flood Plan. Prior to building of facility One Call will be made to spot and stake all pipelines. One background soil sample will be taken from the center portion of the land farm 2 feet below the native ground surface. The sample will be analyzed at a Certified Laboratory for THP, BTEX and heavy metals, using approved EPA methods.

## **7 B. OPERATION OF FACILITY**

No contaminated soils will be placed within 100 feet of fence boundary for buffer zone. No contaminated soils will be placed within 20 feet of any pipelines crossing the facility. All lines will have surface markers identifying location of the line. No equipment will be operated within 10 feet of pipeline. Disposal of material will occur when an Attendant is on duty. Facility will be secured when no attendant is present. All contaminated soils will be disked and spread within 72 hours of receipt at facility. Soils will be spread on the surface in 6 inch lifts or less. Soil will be disked a minimum of 1 time every 2 weeks. Moisture will be added as necessary to enhance bioremediation, control blowing dust and minimize odor. There will be no ponding, pooling or runoff of water allowed. Any precipitation will be removed within 72 hours of discovery. Berms will be maintained to prevent erosion and inspections will be made after any rainfall or wind storms.

Lifts of contaminated soils will not be spread until a laboratory measurement of TPH in the previous lift is less than 100 PPM, the sum of all aromatic BTEX is less than 10 PPM. Records of the laboratory analysis will be available at all times. Authorization from OCD will be obtained prior to application of successive lifts.

**7 B. CONTINUED**

Records of all materials disposed of at the facility will be maintained with records for each load including the following.

(1). Generator (2). Origin (3). Date Received (4). Quantity (5). Certification of Exempt Status (6). Transporter (7). Exact cell location. All loads received at facility will be accompanied by a "Certification of Waste Status" signed by the waste generator or a "Verification of Waste Status" issued by the New Mexico Enviromental Department or any other appropriate agency from another state for waste regulations by that agency.

#### **8. PLAN FOR CLEAN UP**

Facility will be closely monitored, no leaks or spills will occur as only dry solids will be accepted. Operator of site will notify OCD of circumstances which could constitute any hazard or contamination. Site operator will be responsible to see that all above conditions and requirements are met.

#### **9. ROUTINE INSPECTIONS**

A treatment zone not to exceed 3 feet beneath facility surface will be monitored. A maximum of 1 random soil sample will be taken from each individual cell, with no cell being larger than 5 acres, 6 months after the first contaminated soils are received in the cell and then quarterly thereafter. After obtaining samples bore holes will be filled with an impermeable material. Results will be submitted to OCD in Santa Fe for review on a regular schedule. Operator of facility will make weekly routine inspections or after any major storm, heavy rainfall, high gusty winds or conditions deemed necessary. Berms will be routinely inspected and maintained as will all facility records for a minimum of 5 years.



## 10. CLOSURE PLAN

OCD will be notified 30 days prior to facilities intent to cease accepting wastes and close the facility. Operator will then begin closure operations. A closure plan will be provided using the following OCD closure procedures.

- (1). No new material to be accepted.
- (2). Existing landfarm soils shall be remediated until they meet the OCD standards in effect at time of closure.
- (3). Provide a facility closure plan detailing plans to ensure all soils have been tested for total remediation, according to EPA guidelines. Results of all tests will be documented and submitted to OCD and/or EPA as required for approval.
- (4). Facility will be maintained and monitored by operator to ensure remediation and control contamination until such time as OCD determines the facility can be closed and land is back to natural state.

#### **11. SITE CHARACTERISTICS**

Depth of water is estimated to be about 150 feet to 230 feet, if any water at all. Depth of water taken at open hole 1/2 mile away from facility.

Soil type of area is mainly sand, loam, caliche and some rock.

#### **12. NOTICE REQUIREMENTS**

Prior to public notice, the operator shall give written notice of application to the surface owners of record within 1 mile of facility.

Operator will issue public notice in a form approved by the Division in a newspaper of general circulation in the county the facility is to be located.

#### **13. CONTINGENCY PLAN FOR H2S**

H2S plan is not applicable as facility is not designed to generate H2S.

#### **14. ATTACHMENTS**

Landowner Map from County Courthouse  
Topographical Map

Jimmie T. Cooper, et ux Betty B.  
-J.T.

State

✓ Delbert Dale Cooper

12-29-94

U.S.A.

Jimmie T. Cooper, et ux Betty B.  
Trust

23

24

✓ Delbert Dale Cooper

12-28-94

U.S.A.

Dale Cooper  
Family Trust

11-27-91

Dale Cooper Family Trust

1-27-93

Dale Cooper Family Tr.

26

25

11-27-91

Dale Cooper Family Tr.

27

12-29-94

Jimmie T. Cooper, et ux Betty B.  
Trust

Millard Duck

State

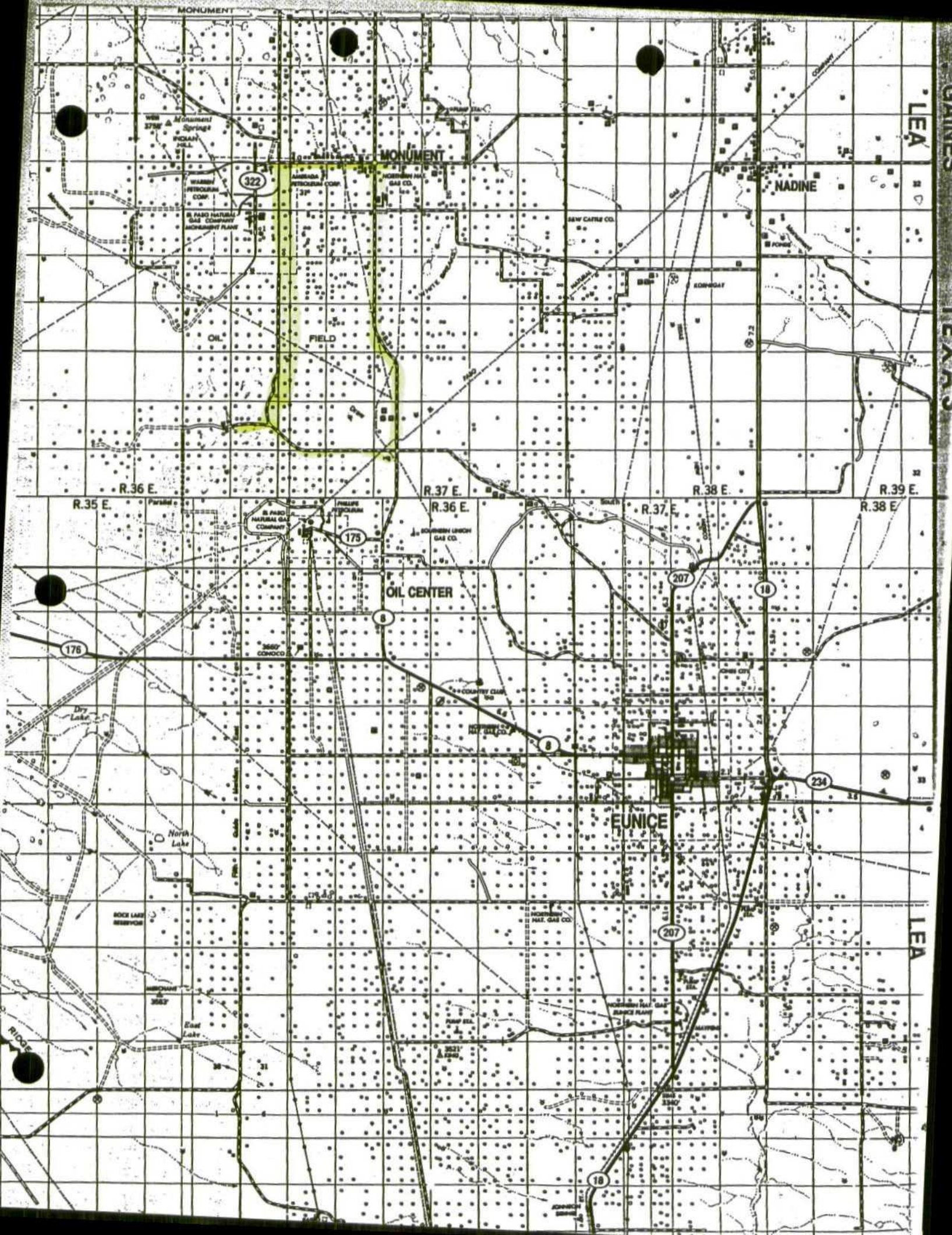
35

36

Atlantic-Richfield Co.

Post-It Fax Note		7671	Date 7/7/99
To	Kena Cooper		From
Co Dept.	1000		To
Phone #	393-3174	Phone #	396-8527 ext.
Fax #	393-8943	Fax #	393







Mr. Clay Cooper  
834 W. Gold Ave.  
Hobbs, NM 88240

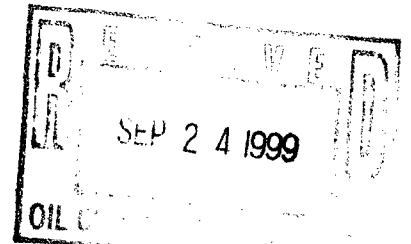
wife Kenny Kay Cooper

Sent landfarm application infor. 6-2-99

RECEIVED

SEP 27 1999

Environmental Bureau  
Oil Conservation Division



# COMMERCIAL SURFACE WASTE MANAGEMENT FACILITY PROPOSAL

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State of New Mexico  
Energy Minerals and Natural Resources  
Oil Conservation Division  
2040 South Pacheco  
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: South Monument Surface Waste Facility

Address: 834 W. Gold, Hobbs, NM 88240

Contact Person: Kena Kay Cooper Phone: 505-392-1180 (Home)  
505-393-3174 (Work)

3. Location: SW /4 NW /4 Section 25 Township 36E Range 20S  
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.

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13. Attach a contingency plan in the event of a release of H<sub>2</sub>S.

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: Kena Kay Cooper

Title: Operator

Signature: Kena Kay Cooper

Date: 9/17/99



**5. LANDOWNERS OF FACILITY/LANDOWNERS WITHIN 1 MILE**

Landowner of Facility:

Dale Cooper Family Trust  
Dale & Betty Rose Cooper  
P.O. Box 6  
Monument, NM 88265  
Home Phone #505-393-6094

Clay & Kena Kay Cooper  
834 W. Gold  
Hobbs, NM 88240  
Home Phone #505-392-1180  
Work Phone #505-393-3174

Landowner's Within 1 Mile:

Jimmie T. & Betty Cooper  
P.O. Box 55  
Monument, NM 88265

Bank of America  
Trustee of Millard Deck Estate  
P.O. Box 270  
Midland, TX 79702-0270  
ATTN: Tim Wolters

New Mexico State Land Office  
3830 N. Grimes, Suite C  
Hobbs, NM 88240-1279

## **6. DESCRIPTION OF FACILITY**

Proposed facility will be an unlined Commercial Surface Waste Management Facility for use in treating oilfield wastes classified as exempt from RCRA Subtitle C Regulations or Non-Hazardous by characteristic testing located in Lea County, New Mexico.

No free liquids or solids with free liquids shall be accepted at facility. At no time will land farm accept wastes which are hazardous by testing or listing.

Facility will begin with 80 acres for start up in Section 25 on both sides of Maddox Road, which is a county road. Section 26 and half of Section 23 are available for future expansion adjoining the initial site for a total of 1040 acres.

See following diagram of existing fence and proposed fence. Noted are any pipeline crossings. There are no existing tanks, chemical storage areas, or any other facilities.

Proposed site will consist of 80 acres for start up in Section 25 on both sides of Maddox Road (County Rd.). Section 26 and 1/2 of Section 23 are available for future expansion adjoining the proposed site for a total 1040 acres.

N  
W ↑ E  
S

Section 24

Section 24

Section line

Maddox Road

CATTLE Guard

Section 25

TEX NEW MEX ESTT Pipeline

GPM Gas Pipeline

1 mile From CATTLE Guard To Section line

EXISTING FENCE

Section 25

Cooper Ranch House

X

Cooper Road

CATTLE Guard

CATTLE Guard

3 mile TO STATE Road 8 →  
Maddox Road

## **7. FACILITY CONSTRUCTION/OPERATION**

### **7 A. CONSTRUCTION OF FACILITY**

The proposed Surface Waste Facility is not located near, or in any water coarse, lakebed, sinkhole or other depression. Facility has existing and new fence will be built to enclose land farm. Entrance will have gate with lock and cattle guard if needed. A sign will be posted at entrance legible at least 50 feet with the following information (1). Name of facility (2). Location by section, township and range (3). Emergency phone numbers.

A berm will be built inside of fence to contain collected soil and to prevent runoff/runon. Berms will be constructed and maintained so that it is capable of containing precipitation from a 100 Year Flood Plan. Prior to building of facility One Call will be made to spot and stake all pipelines. One background soil sample will be taken from the center portion of the land farm 2 feet below the native ground surface. The sample will be analyzed at a Certified Laboratory for THP, BTEX and heavy metals, using approved EPA methods.

## **7 B. OPERATION OF FACILITY**

No contaminated soils will be placed within 100 feet of fence boundary for buffer zone. No contaminated soils will be placed within 20 feet of any pipelines crossing the facility. All lines will have surface markers identifying location of the line. No equipment will be operated within 10 feet of pipeline. Disposal of material will occur when an Attendant is on duty. Facility will be secured when no attendant is present. All contaminated soils will be disked and spread within 72 hours of receipt at facility. Soils will be spread on the surface in 6 inch lifts or less. Soil will be disked a minimum of 1 time every 2 weeks. Moisture will be added as necessary to enhance bioremediation, control blowing dust and minimize odor. There will be no ponding, pooling or runoff of water allowed. Any precipitation will be removed within 72 hours of discovery. Berms will be maintained to prevent erosion and inspections will be made after any rainfall or wind storms.

Lifts of contaminated soils will not be spread until a laboratory measurement of TPH in the previous lift is less than 100 PPM, the sum of all aromatic BTEX is less than 10 PPM. Records of the laboratory analysis will be available at all times.

Authorization from OCD will be obtained prior to application of successive lifts.

**7 B. CONTINUED**

Records of all materials disposed of at the facility will be maintained with records for each load including the following.

(1). Generator (2). Origin (3). Date Received (4). Quantity (5). Certification of Exempt Status (6). Transporter (7). Exact cell location. All loads received at facility will be accompanied by a "Certification of Waste Status" signed by the waste generator or a "Verification of Waste Status" issued by the New Mexico Enviromental Department or any other appropriate agency from another state for waste regulations by that agency.

## **8. PLAN FOR CLEAN UP**

Facility will be closely monitored, no leaks or spills will occur as only dry solids will be accepted. Operator of site will notify OCD of circumstances which could constitute any hazard or contamination. Site operator will be responsible to see that all above conditions and requirements are met.

## **9. ROUTINE INSPECTIONS**

A treatment zone not to exceed 3 feet beneath facility surface will be monitored. A maximum of 1 random soil sample will be taken from each individual cell, with no cell being larger than 5 acres, 6 months after the first contaminated soils are received in the cell and then quarterly thereafter. After obtaining samples bore holes will be filled with an impermeable material. Results will be submitted to OCD in Santa Fe for review on a regular schedule. Operator of facility will make weekly routine inspections or after any major storm, heavy rainfall, high gusty winds or conditions deemed necessary. Berms will be routinely inspected and maintained as will all facility records for a minimum of 5 years.

## 10. CLOSURE PLAN

OCD will be notified 30 days prior to facilities intent to cease accepting wastes and close the facility. Operator will then begin closure operations. A closure plan will be provided using the following OCD closure procedures.

- (1). No new material to be accepted.
- (2). Existing landfarm soils shall be remediated until they meet the OCD standards in effect at time of closure.
- (3). Provide a facility closure plan detailing plans to ensure all soils have been tested for total remediation, according to EPA guidelines. Results of all tests will be documented and submitted to OCD and/or EPA as required for approval.
- (4). Facility will be maintained and monitored by operator to ensure remediation and control contamination until such time as OCD determines the facility can be closed and land is back to natural state.



#### **11. SITE CHARACTERISTICS**

Depth of water is estimated to be about 150 feet to 230 feet, if any water at all. Depth of water taken at open hole 1/2 mile away from facility.

Soil type of area is mainly sand, loam, caliche and some rock.

#### **12. NOTICE REQUIREMENTS**

Prior to public notice, the operator shall give written notice of application to the surface owners of record within 1 mile of facility.

Operator will issue public notice in a form approved by the Division in a newspaper of general circulation in the county the facility is to be located.

#### **13. CONTINGENCY PLAN FOR H2S**

H2S plan is not applicable as facility is not designed to generate H2S.

#### **14. ATTACHMENTS**

Landowner Map from County Courthouse  
Topographical Map

10-27-94

Jimmie T. Cooper, et ux Betty B.  
-J.T.

State

✓ Delbert Dale Cooper

12-29-94

Jimmie T. Cooper, et ux Betty B.  
Trust

U.S.A.

23

✓ Delbert Dale Cooper

24

12-28-94

Dale Cooper  
Family Trust

11-27-91

Dale Cooper Family Trust

U.S.A.

1-27-93

Dale Cooper Family Tr.

26

25

11-27-91

Dale Cooper Family Tr.

27

12-29-94

Jimmie T. Cooper, et ux Betty B.  
Trust

Millard Deck

State

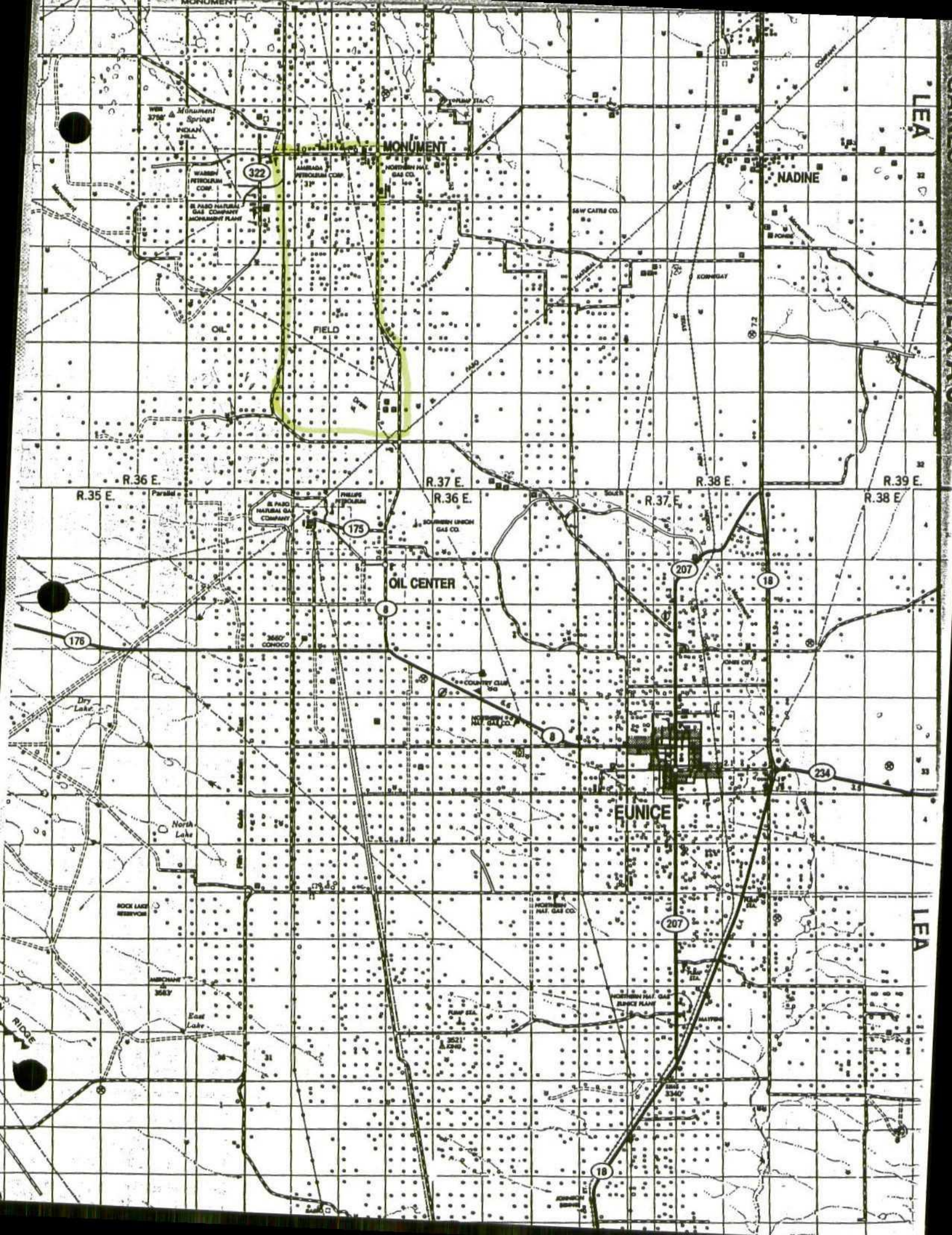
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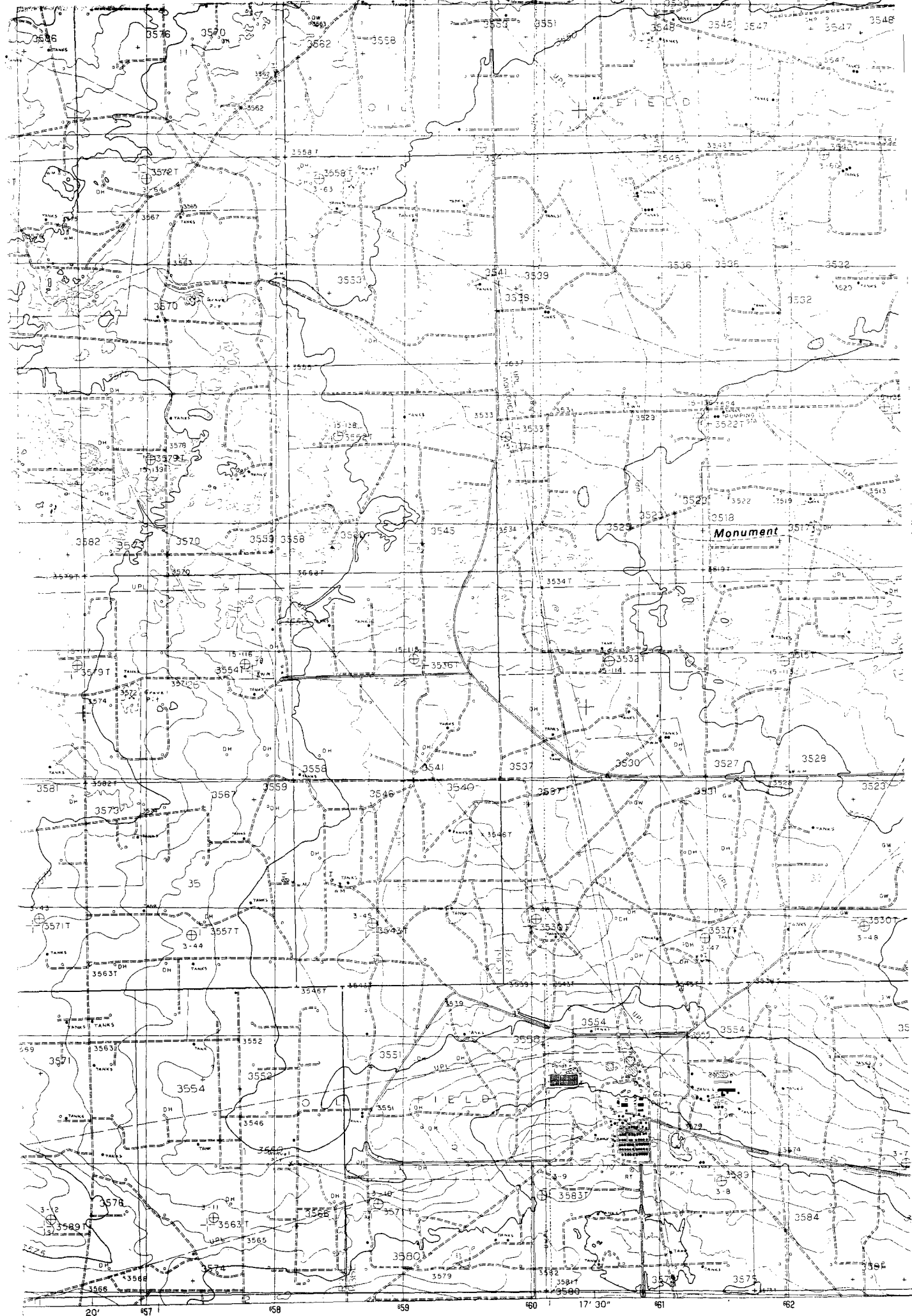
Atlantic-Richfield Co.

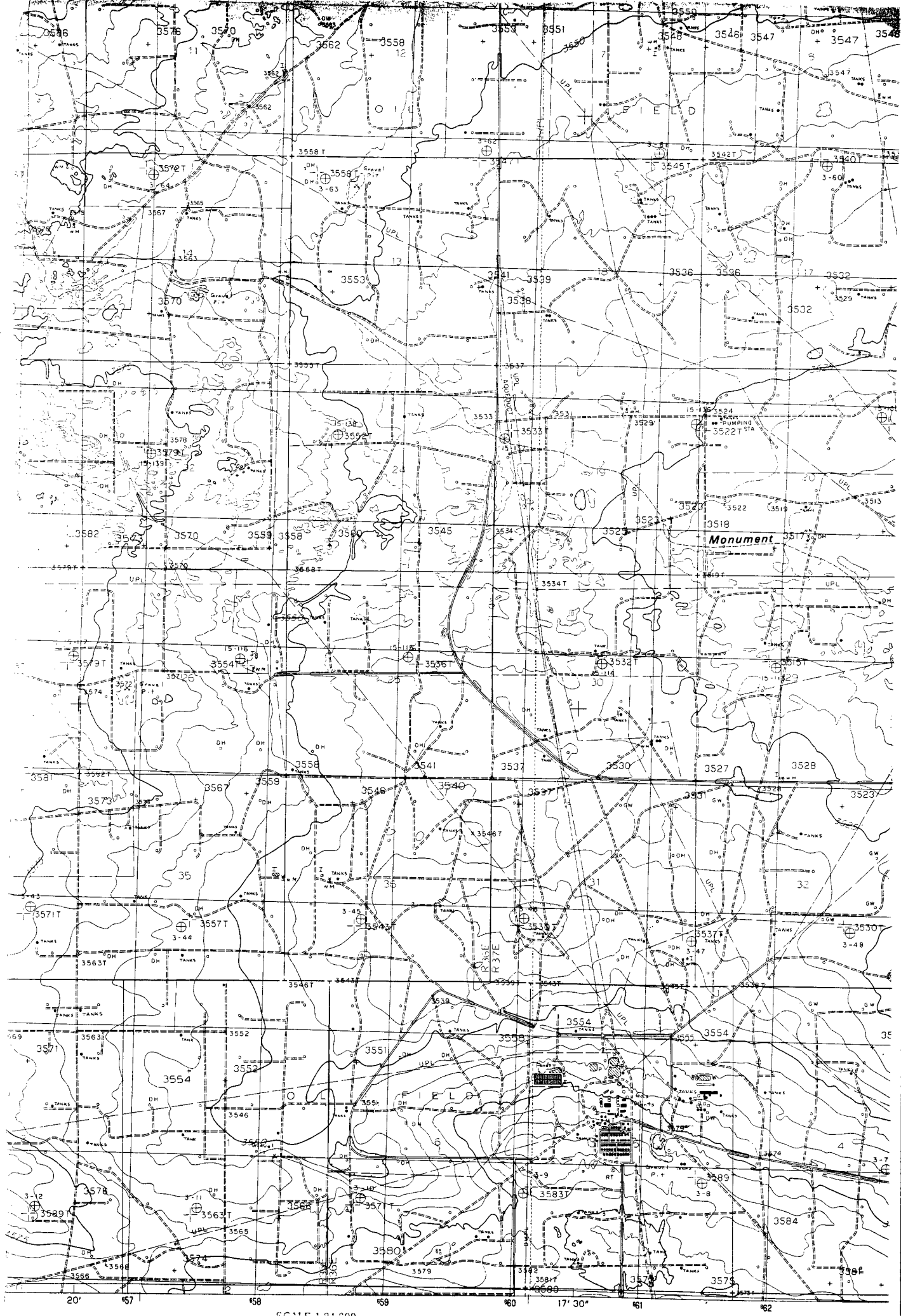
Post-It Fax Note 7671		Date 7/7/99 # of pages 1
To: Verna Cooper		From: Lea G. Gurnhouse
Cell: 393-3174	Co: 1400176	
Fax #: 393-8943	Phone #: 396-8527 ext. 363	Fax #: 363

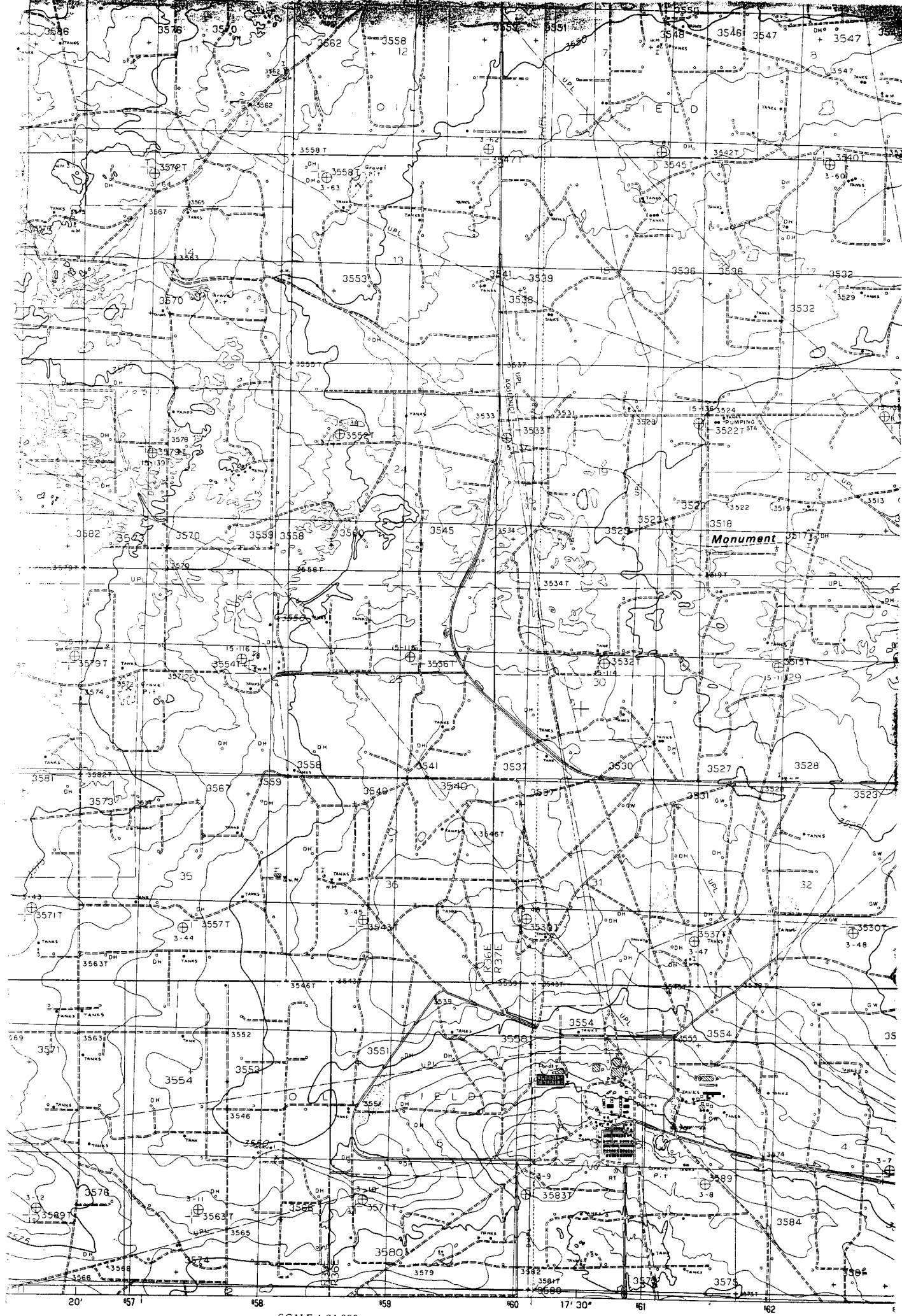


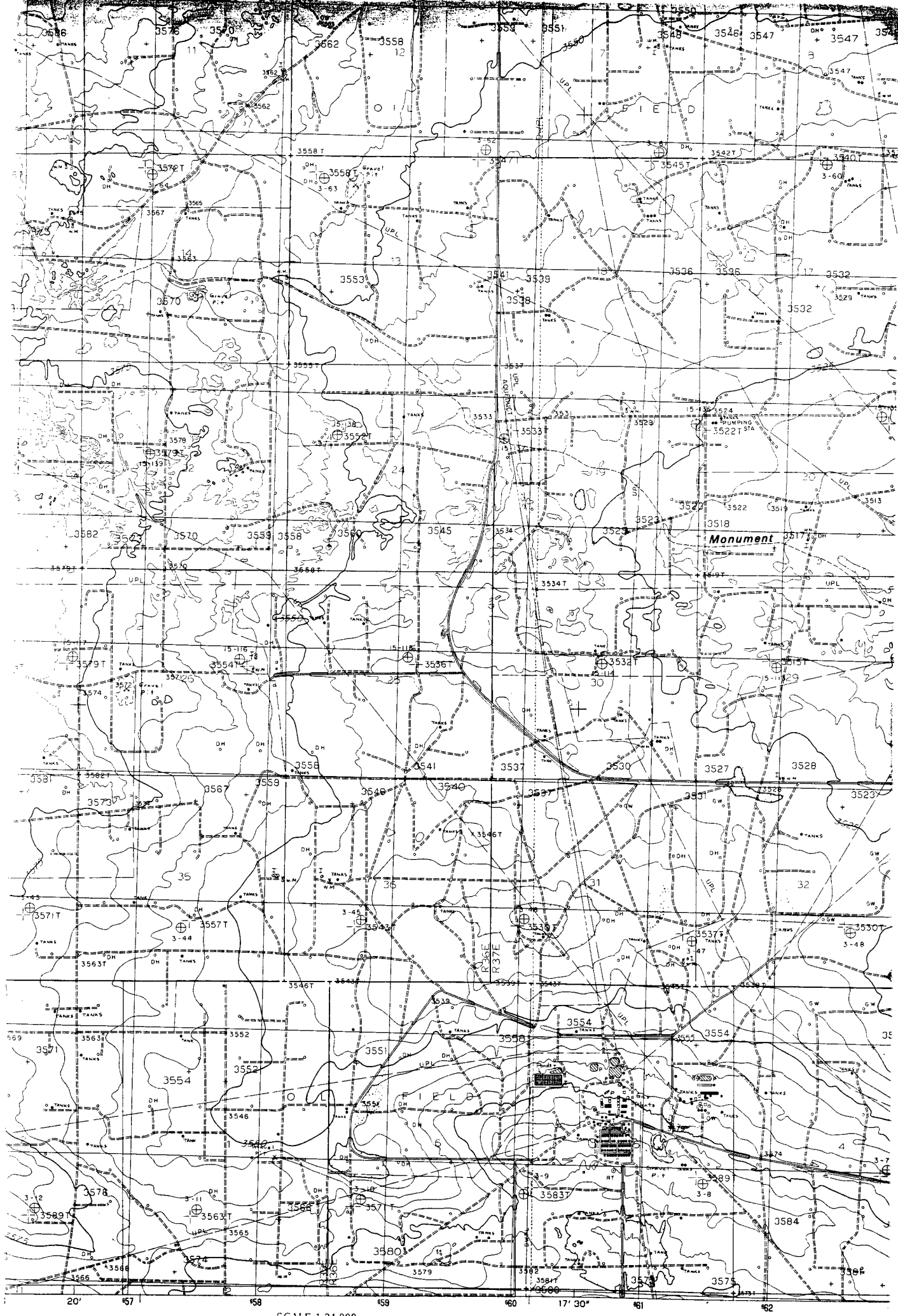


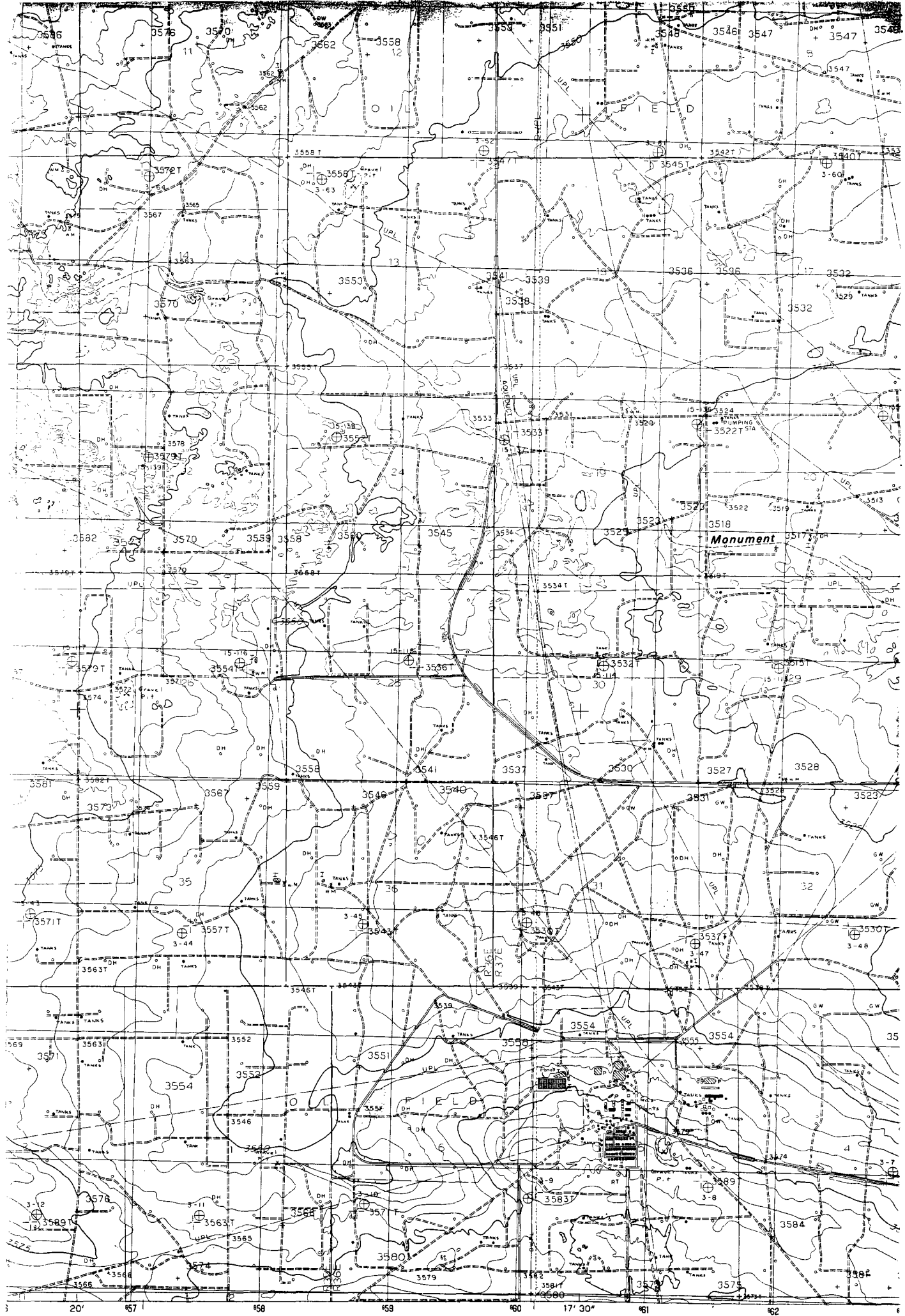




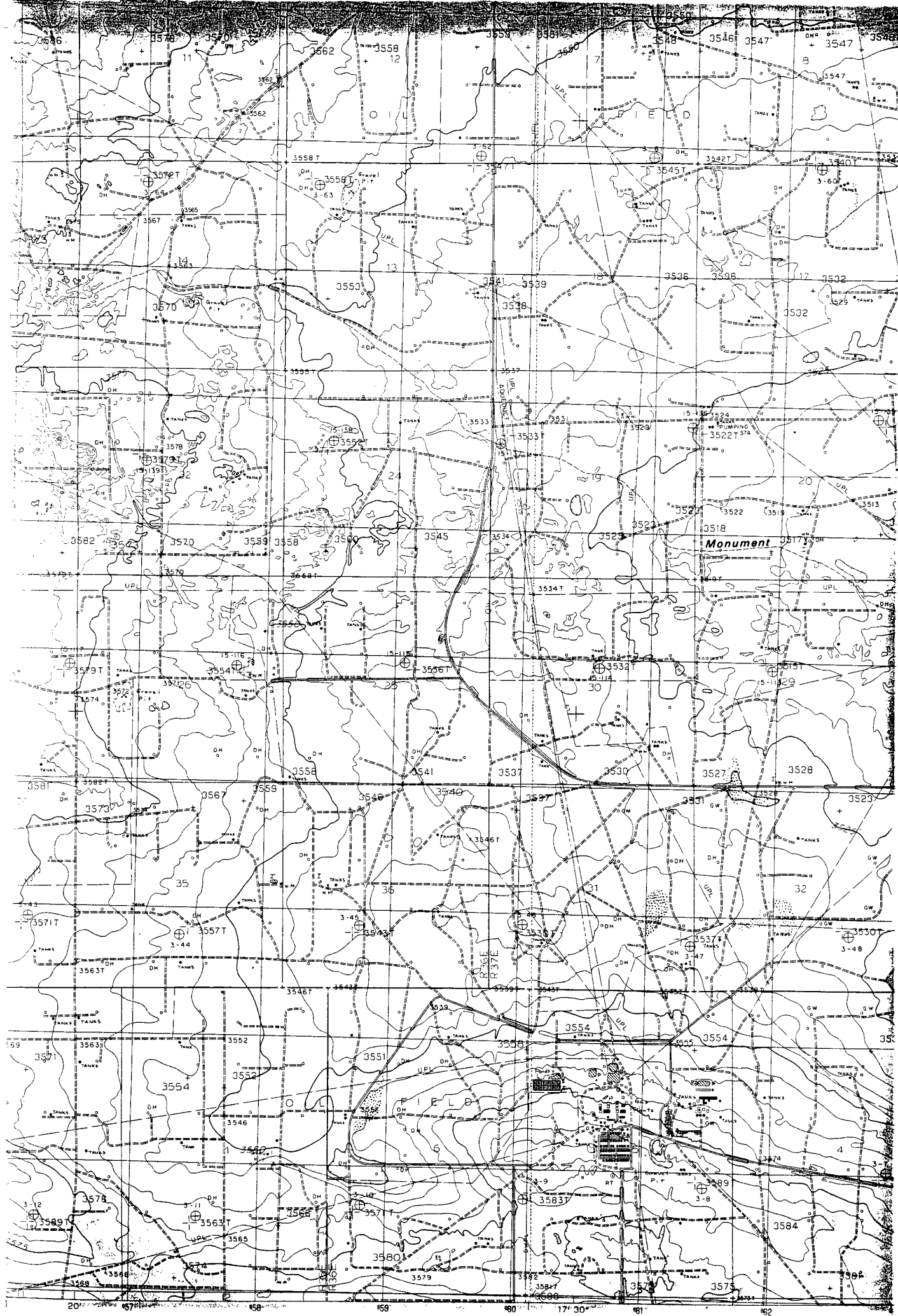


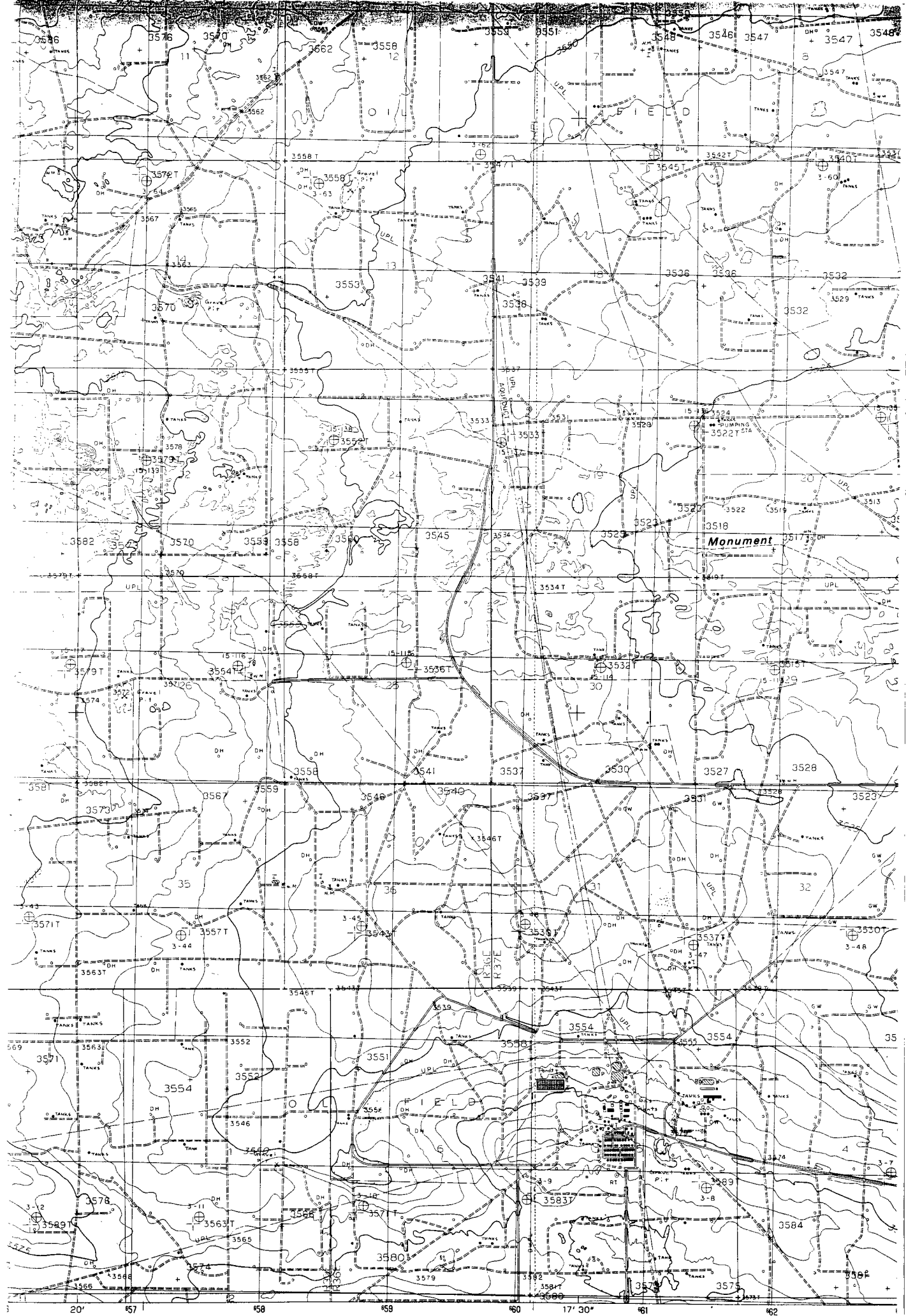


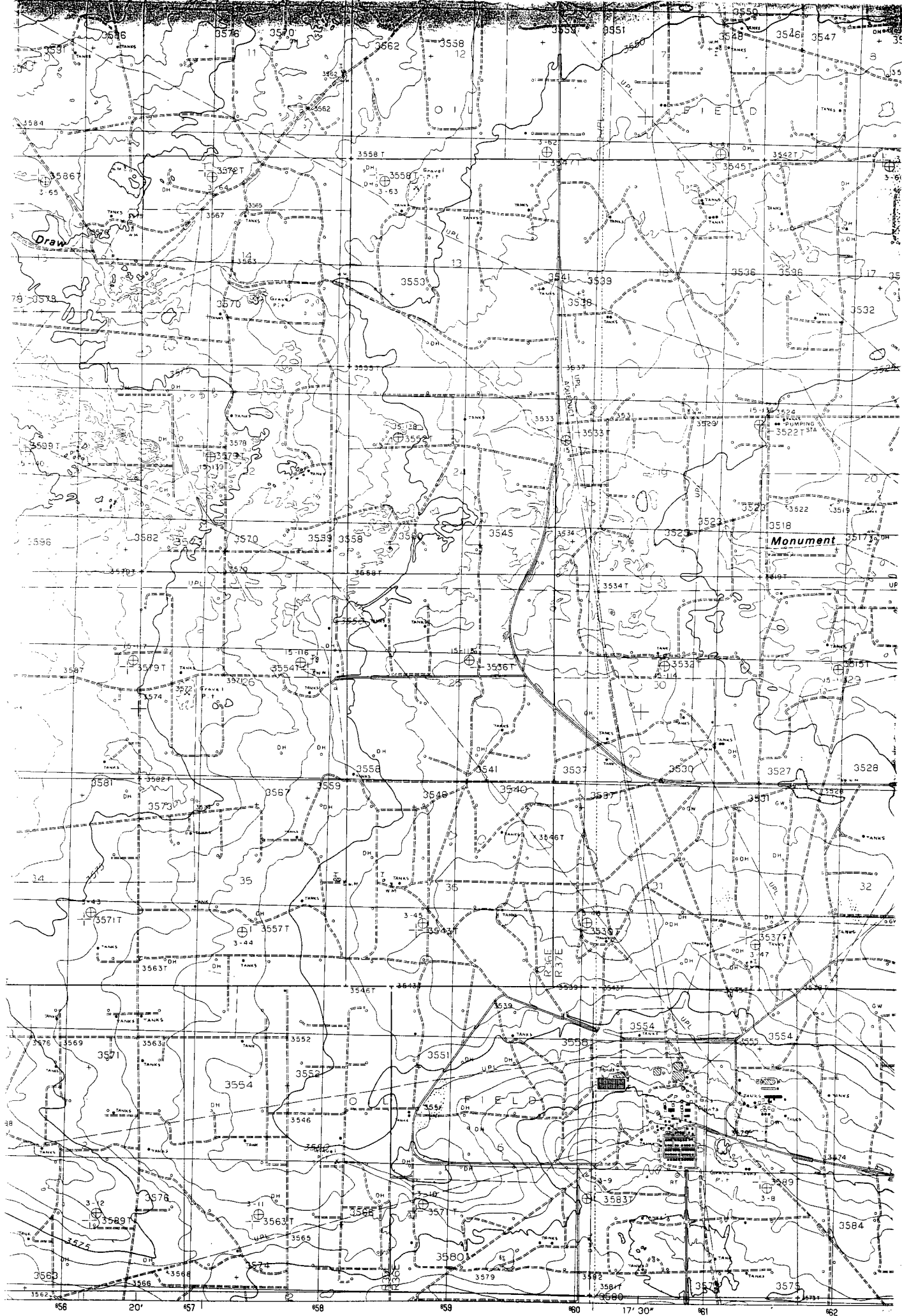


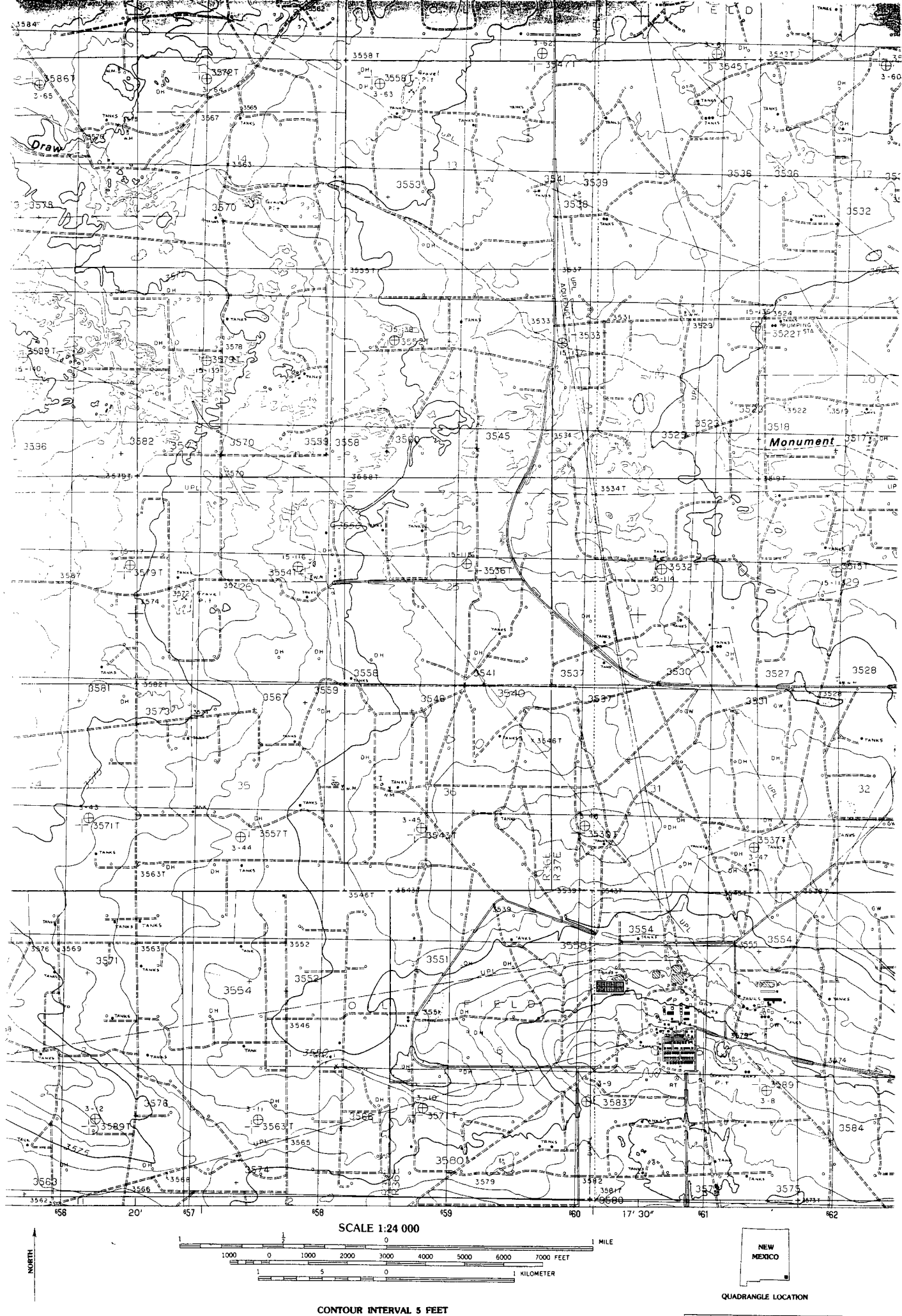


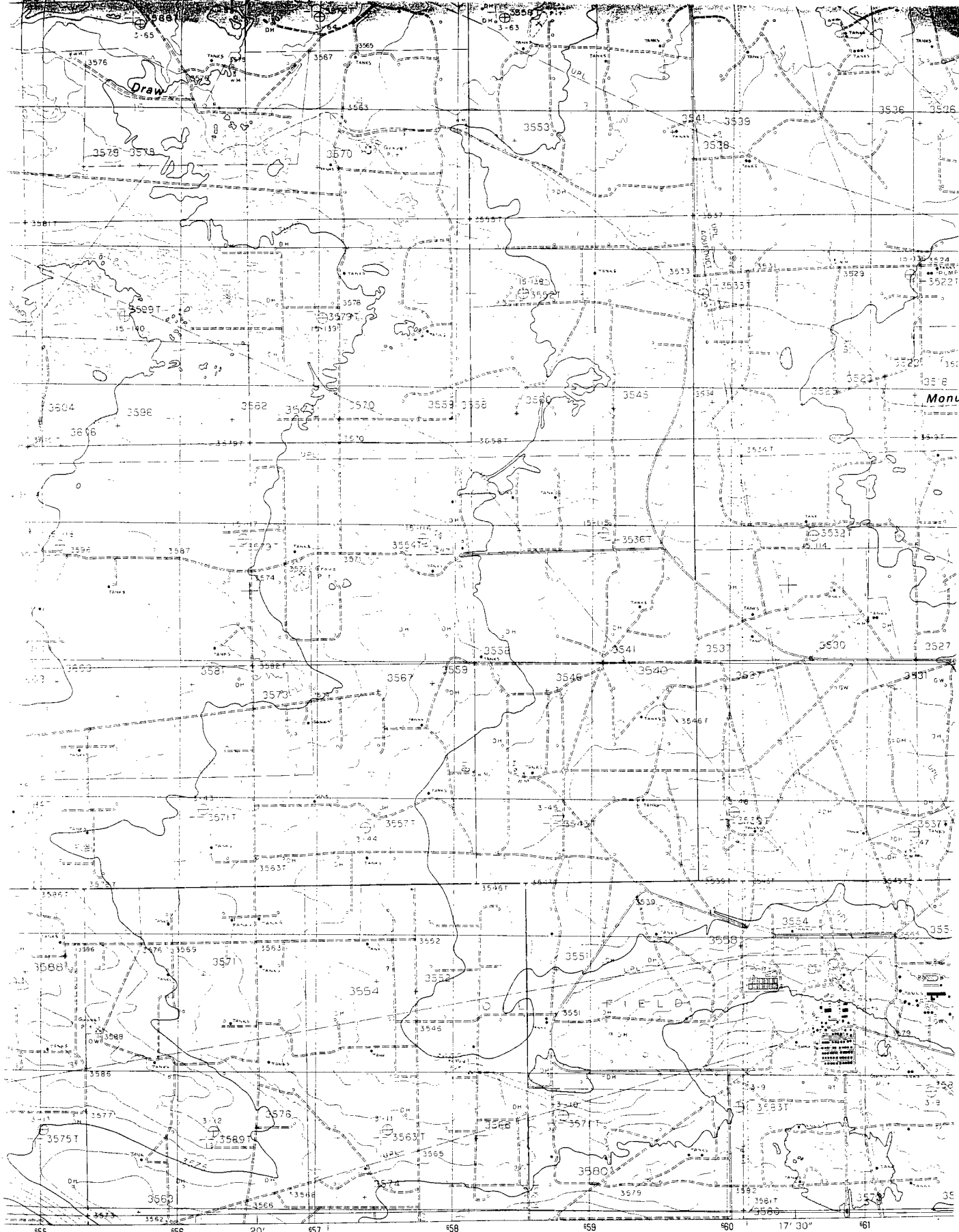




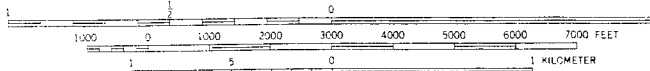








SCALE 1:24 000



NORTH

NEW MEXICO

QUADRANGLE LOK

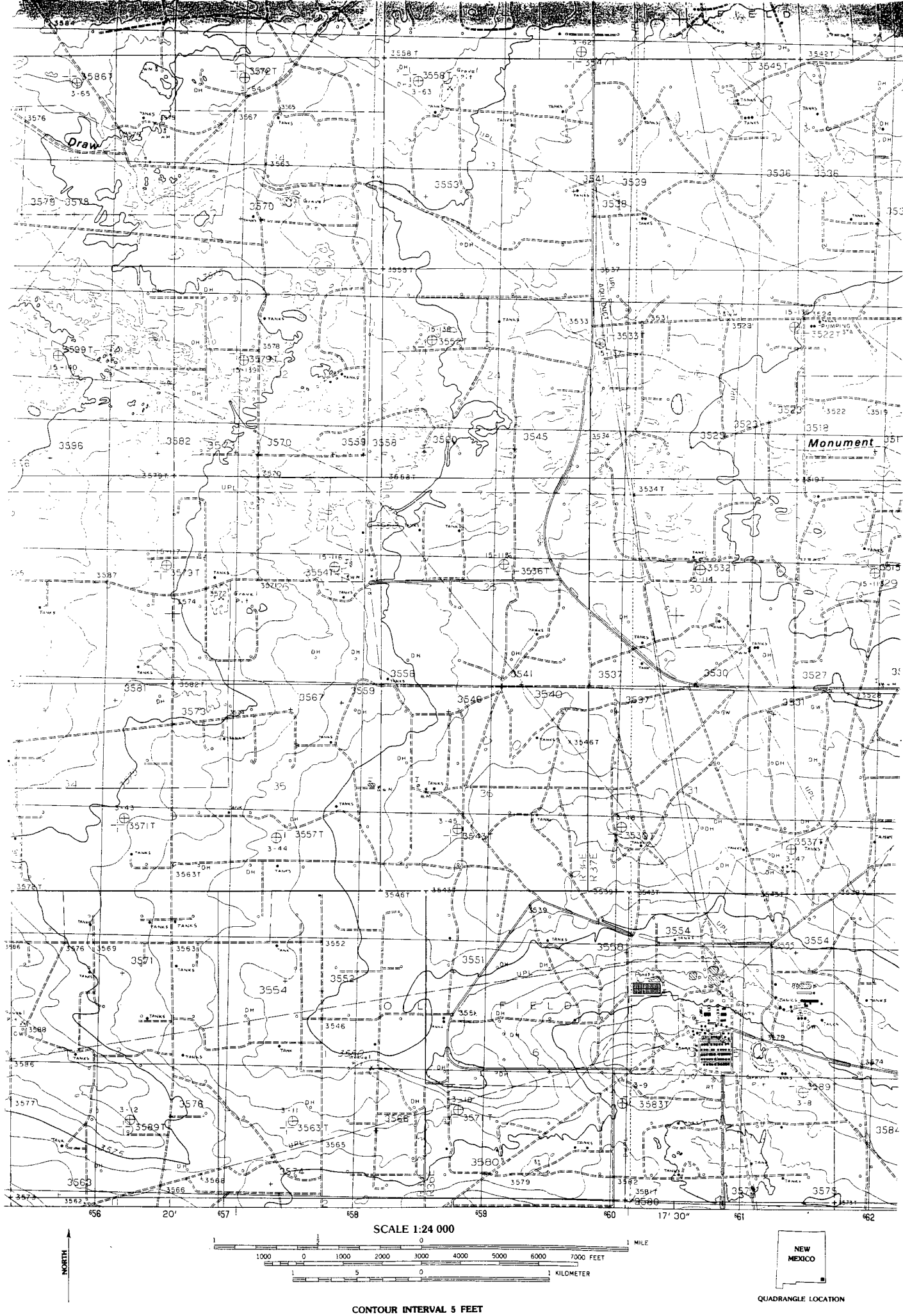
CONTOUR INTERVAL 5 FEET

**PROVISIONAL MAP**  
Produced from original  
manuscript drawings. Informa-  
tion shown as of date of  
6-11-54.

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS  
AND FILE BY U.S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225

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			2
			3
4		5	4
			5
			6
6	7	8	7
			8



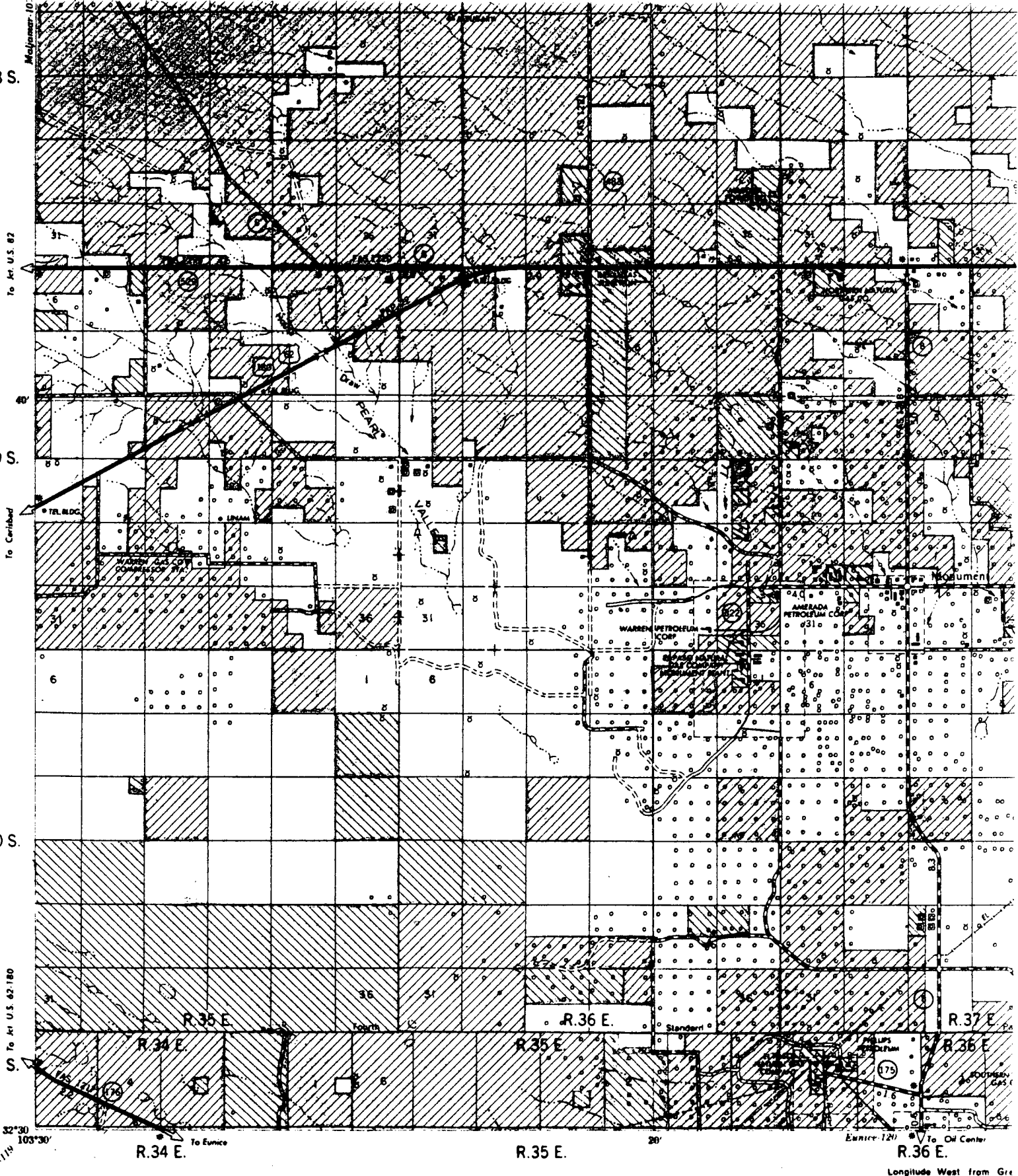


T.18 S.

T.19 S.

T.20 S.

T.21 S.



R.34 E.

R.35 E.

R.36 E.

R.37 E.

Control by National Geodetic Survey; U.S. Geological Survey;  
U.S. Forest Service; Bureau of Land Management and Planning Division.  
Modified Conic Projection Standard Parallel 34°1' North American Datum.

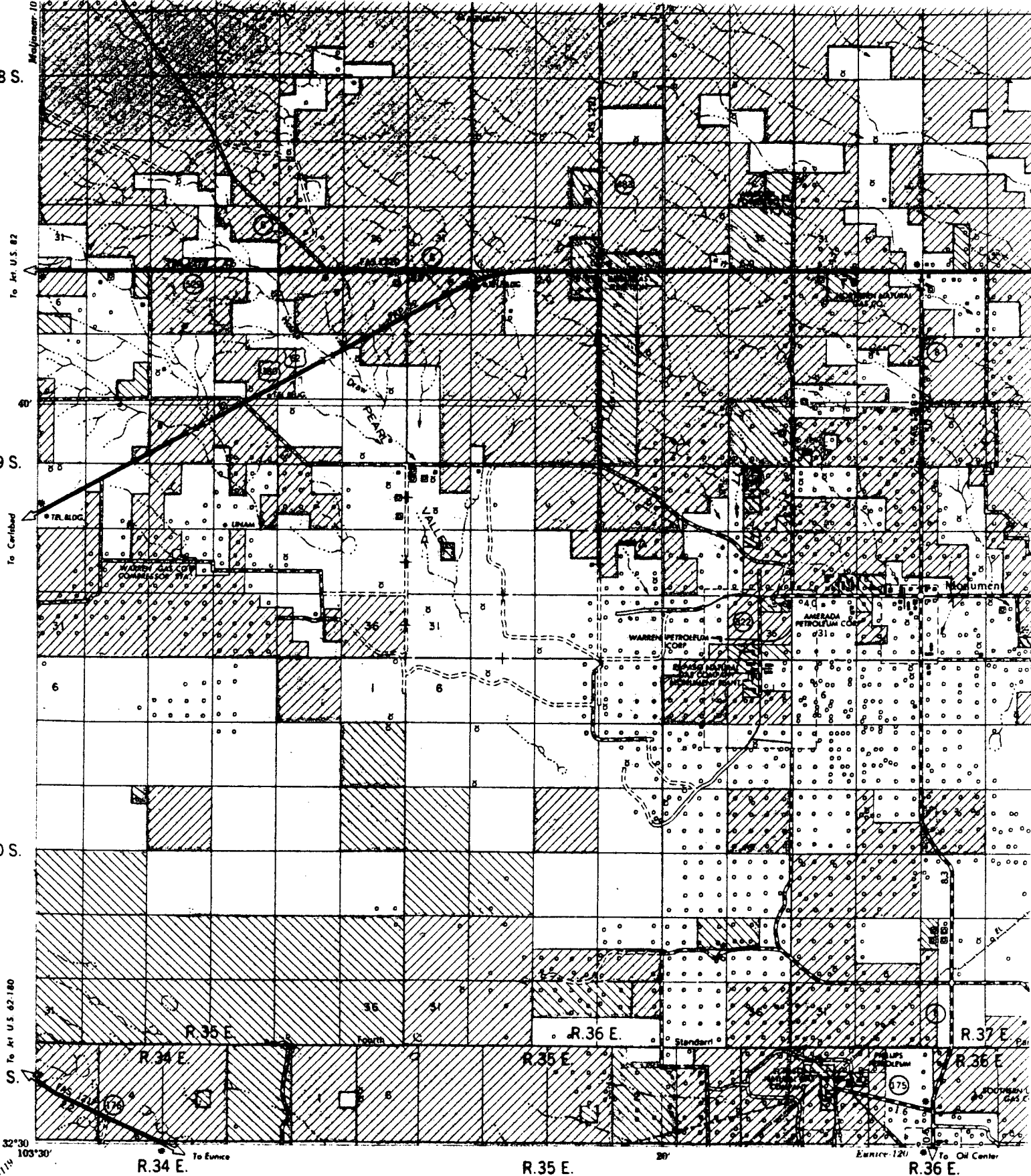
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STATUTE MILES

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T.19 S.

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Control by National Geodetic Survey; U.S. Geological Survey;  
U.S. Forest Service; Bureau of Land Management and Planning Division.  
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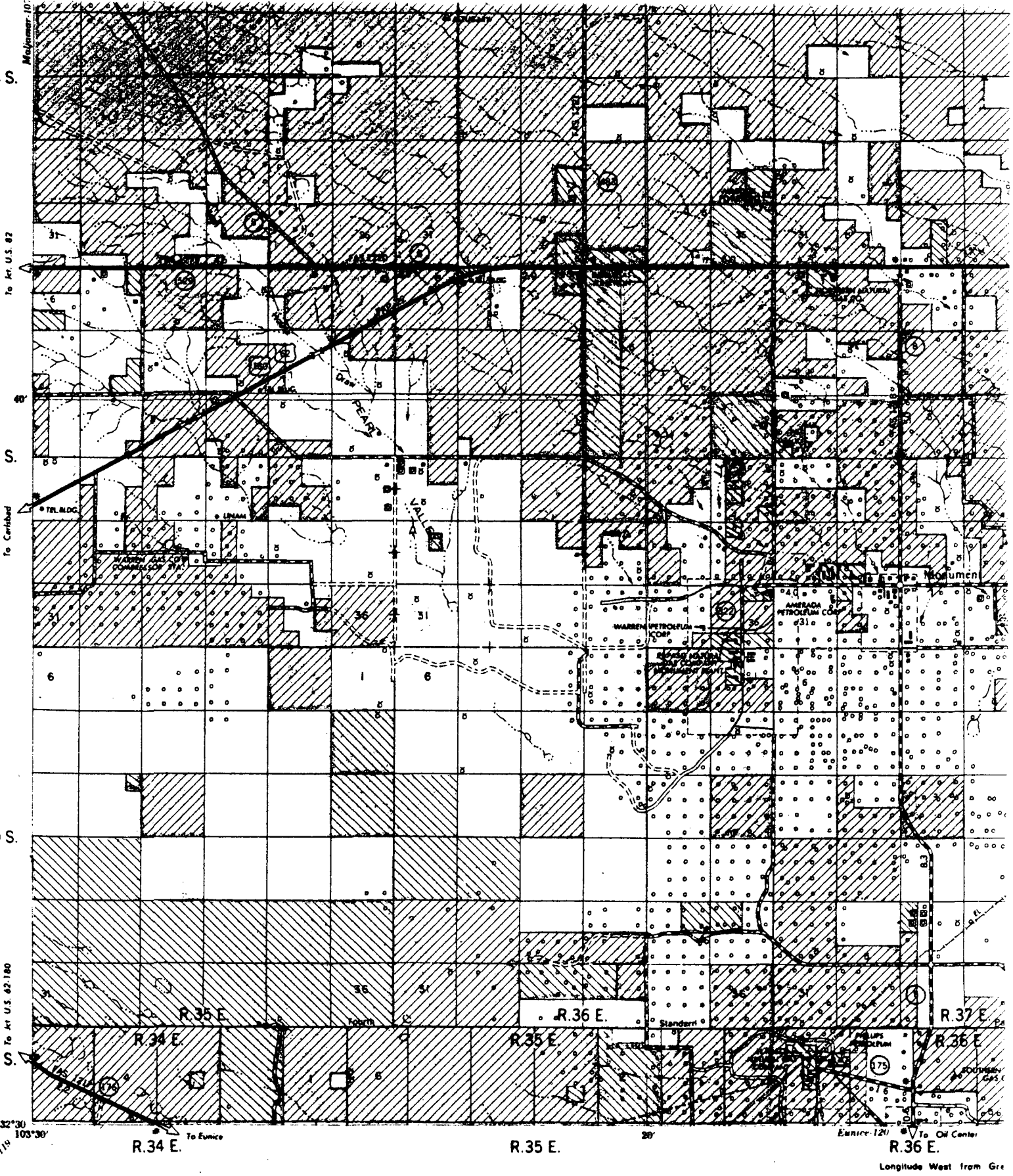


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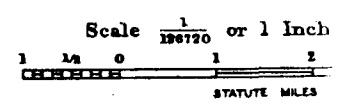
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Control by National Geodetic Survey; U.S. Geological Survey;  
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Modified Conic Projection Standard Parallel 34 1/2° North American Datum.



**T.21 S.**

To Let. U.S. 82

**To Carlsted**

U.S. 62-180

32°30' 103°30'

R.34 E.

R.35 E.

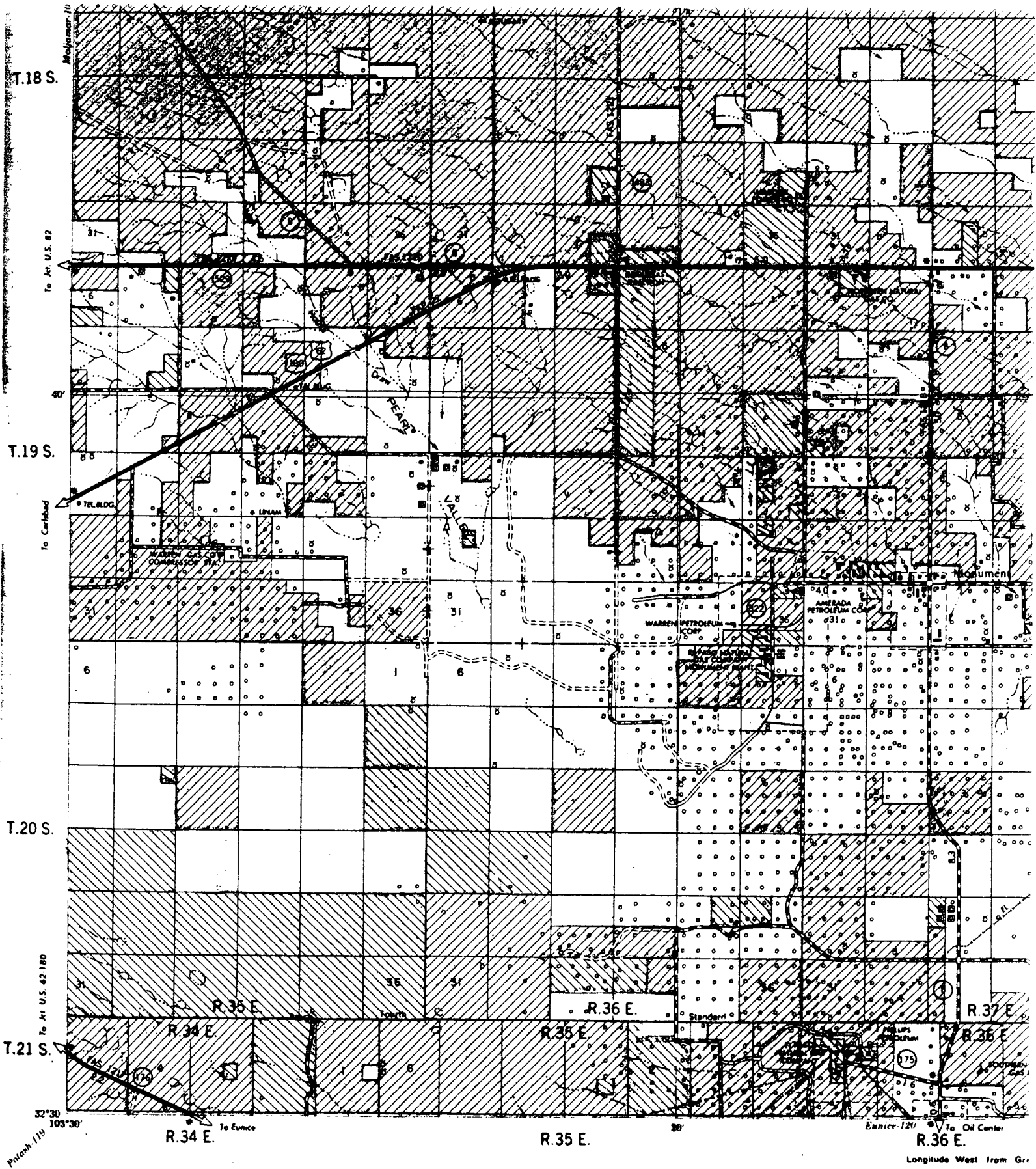
R.36 E.

Longitude West from Gre

Control by National Geodetic Survey; U.S. Geological Survey;  
U.S. Forest Service; Bureau of Land Management and Planning Division.  
Modified Conic Projection Standard Parallel 34N° North American Datum.

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STATUTE MILES



Control by National Geodetic Survey; U.S. Geological Survey;  
 U.S. Forest Service; Bureau of Land Management and Planning Division.  
 Modified Conic Projection Standard Parallel 34° North American Datum.

Scale  $\frac{1}{126720}$  or 1 Inch  
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 STATUTE MILES

T.18 S.

To Art. U.S. 42

T.19 S.

To Caribee

T.20 S.

To Art. U.S. 42-180

T.21 S.

32°30' 103°30'

R.34 E.

To Eunice

R.35 E.

Eunice 120 To Oil Center

R.36 E.

Longitude West from

Control by National Geodetic Survey; U.S. Geological Survey;  
 U.S. Forest Service; Bureau of Land Management and Planning Division.  
 Modified Conic Projection Standard Parallel 34N° North American Datum.

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