

**NM2 - 19**

**PERMITS,  
RENEWALS,  
& MODS**

State of New Mexico  
Energy, Minerals and Natural Resources Department

---

**Susana Martinez**  
Governor

**David Martin**  
Cabinet Secretary

**Tony Delfin**  
Deputy Cabinet Secretary

**David R. Catanach, Division Director**  
Oil Conservation Division



February 23, 2016

Stacey Boultinghouse  
ETC Field Services LLC  
800 E. Sonterra Boulevard, Suite 400  
San Antonio, Texas 78258

**Re: Request For Permit Transfer**  
**Principal: ETC Field Services LLC**  
**Permit NM2-019**  
**Location: Unit F of Section 36, Township 23 South, Range 36 East, NMPM,**  
**Lea County, New Mexico**  
**Surety: Liberty Mutual Insurance Company**  
**Surety Bond No: 019048613**

Dear Ms. Boultinghouse:

The Oil Conservation Division (OCD) has reviewed ETC Field Services LLC's request to transfer a permit, dated January 25, 2016, and revisions to the submittal, dated February 15, 2016 to demonstrate compliance to Subsection E of 19.15.36.12 NMAC. OCD hereby approves the transfer of the surface waste management facility permit NM2-019 to ETC Field Services LLC.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Brad A. Jones", is written over a horizontal line.

Brad A. Jones  
Environmental Engineer

BAJ/baj

Cc: OCD District I Office, Hobbs



RECEIVED OGD

January 25, 2016

2016 JAN 27 AM 9:54

Mr. Brad Jones  
New Mexico NMOCD  
1220 South Francis Drive  
Santa Fe, NM 87505

Dear Mr. Jones:

**Re: Transfer of Ownership Documentation  
Jal No. 4 Landfarm  
Permit Number NM-02-0019  
Lea County, New Mexico**

Due to a recent purchase of assets, ETC Field Services LLC is requesting transfer of the permit for the Jal No. 4 Landfarm from Regency Energy Field Services LLC. Attached, please find the request for transfer of permit and financial assurance for the Jal No. 4 Landfarm.

Should you have any questions regarding this transfer of permit, please do not hesitate to contact me at (210) 870-2725.

Sincerely,

Stacy Boultinghouse, PG (TX4889/LA73)  
Environmental Manager  
Energy Transfer Company

cc: Claire Johnson, ETC (electronic copy)  
Jim Griswold, NMOCD (electronic copy)  
Bernie Bockisch, GHD (electronic copy)

Encl. (2)

**Transfer of Permit**

**NM-02-0019**

### Transfer of Permit

Pursuant to 19.15.36.12E NMAC, "Transfer of a permit. The operator shall not transfer a permit without the division's prior written approval. A request for transfer of a permit shall identify officers, directors and owners of 25 percent or greater in the transferee. Unless the director otherwise orders, public notice or hearing are not required for the transfer request's approval. If the division denies the transfer request, it shall notify the operator and the proposed transferee of the denial by certified mail, return receipt requested, and either the operator or the proposed transferee may request a hearing with 10 days after receipt of the notice. Until the division approves the transfer and the required financial assurance is in place, the division shall not release the transferor's financial assurance."

#### Facility Information:

**Surface Waste Management Facility Permit(s):** NM-02-0019

**Legal Description:** SE/4 NW/4 of Section 36, Township 23 South, Range 36 East, NMPM

**Location:** Lea County, New Mexico

**From:** Company Name: Regency Field Services LLC  
Company Address: 2001 Bryan Street, Suite 3700  
Dallas, TX 75201

**To:** Company Name: ETC Field Services LLC  
Company Address: 8111 Westchester Dr., Ste 600  
Dallas, TX 75225

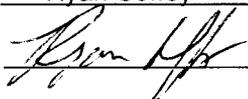
#### Certification:

ETC Field Services LLC, by the officer whose signature appears below, accepts this permit and agrees to comply with all terms and conditions herein. ETC Field Services LLC further acknowledges that the Division for good cause shown as necessary to protect fresh water, human health, and the environment may change such terms and conditions administratively. The undersigned also attests to the fact that he or she understands 19.15.5.11 NMAC which states "Any person who conducts any activity pursuant to a permit, administrative order or other written authorization or approval from the division shall comply with every term, condition and provision of such permit, administrative order, authorization or approval."

Accepted:

#### ETC Field Services LLC

Print Name: Ryan Coffey Permit #: NM-02-0019

Signature:  Date: 1/25/16

Title: Executive VP -Operations

Mailing Address: 800 E. Sonterra Blvd, San Antonio, TX 78258

Contact Telephone Number: (210) 403-7378

**ETC Field Services LLC**

By: Regency Gas Services, its sole member

By: Regency OLP GP LLC, its general partner

<b>Name</b>	<b>Title</b>	<b>Role</b>
Warren, Kelcy L.	Chief Executive Officer	OFFICER
McCrea, Marshall S. III	President & Chief Operating Officer	OFFICER
Long, Thomas E.	Chief Financial Officer	OFFICER
Brazaitis, Gregory F.	Chief Compliance Officer	OFFICER
Coffey, Ryan K.	Executive Vice President - Operations	OFFICER
Curia, Christopher R.	Executive Vice President and Chief Human Resources Officers	OFFICER
Fletcher, Luke	Executive Vice President - Business Development, Natural Gas, Marketing and Optimization	OFFICER
Holotik, Jim	Executive Vice President - Western Region, Crude & Water	OFFICER
Spaulding, Steve	Executive Vice President - Business Development, Natural Gas Liquids	OFFICER
Beebe, Brian	Senior Vice President - Commercial Operations	OFFICER
Hotte, Steve J.	Senior Vice President and Chief Information Officer	OFFICER
Mason, Thomas P.	Senior Vice President, General Counsel & Secretary	OFFICER
Smith, Michael D.	Senior Vice President - Mergers & Acquisitions	OFFICER
Street, Jennifer	Senior Vice President - Engineering	OFFICER

Vaina, Alan G.	Senior Vice President - Commercial Operations	OFFICER
Bramhall, Dylan	Vice President - Financial Planning and Analysis	OFFICER
Dolle, Justin K.	Vice President - Financial Reporting	OFFICER
Krebs, Darryl	Vice President - Tax	OFFICER
Ratliff, Brent	Vice President - Investor Relations	OFFICER
Sturrock, A. Troy	Vice President & Controller	OFFICER
Wright, James M.	Deputy General Counsel	OFFICER
Carpenter, Todd	Associate General Counsel & Assistant Secretary	OFFICER
Healy, William J.	Associate General Counsel & Assistant Secretary	OFFICER
Keeler, Paul B.	Associate General Counsel	OFFICER
McCrea, Marshall S. III	Director	DIRECTOR
Warren, Kelcy L.	Director	DIRECTOR

## Surety Bond



# Office of the Secretary of State

## Business Services Division

[Login](#)

[Home](#)   [Lookup Corporations](#)   [Paper Forms](#)   [e-Filing User Guide](#)   [Help](#)

[Back to Search](#)

**Name** ETC FIELD SERVICES LLC  
**In New Mexico, DBA**  
**Type** Foreign Limited Liability Company  
**Good Standing Status:**

**Filing Information**

**Corp #** 4742265  
**Status** Exempt  
**Date of Incorporation** Jun-04-2013  
**State of Incorporation** DE  
**Fiscal Year Date**  
**Report Duedate**

**Address Information**

1. **Principal Place Of Business Outside Of NM**  
2001 BRYAN ST STE 3700  
DALLAS , TX - 75201

**Agent Information**

**CORPORATION SERVICE COMPANY**  
123 EAST MARCY STREET, SUITE 101,  
SANTA FE, NM - 87501

**Directors Information**

NO RECORD(S) FOUND

**Officers/Organizer Information**

- 1. Manager - KELCY L WARREN
- 2. Manager - MARSHALL S MCREA III

**Instrument History**

- 1. Instrument  
**Number** 4742265  
**Filing Date** Jun-04-2013  
**Type** Certificate Of Registration  
**Text** REGENCY FIELD SERVICES LLC
- 2. Instrument  
**Number** 8404143  
**Filing Date** Nov-18-2015  
**Type** Amended Certificate Of Registration  
**Text** AMENDING NAME: REGENCY FIELD SERVICES LLC .:CNT.: ETC FIELD SERVICES LLC AMENDING MANAGEMENT: KELCY L WARREN, MARSHALL S. MCREA III (6 PAGES)

[Back to Search](#)



# NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

**GARY E. JOHNSON**  
Governor  
**Betty Rivera**  
Cabinet Secretary

**Lori Wrotenbery**  
Director  
Oil Conservation Division

March 18, 2002

**CERTIFIED MAIL**

**RETURN RECEIPT NO. 7001 1940 0004 7923 3842**

Mr. Randall Dunn  
Sid Richardson Energy Services Co.  
610 Commerce  
Jal, New Mexico 88252

**RE: OCD Rule 711 Permit Approval NM-02-0019  
Sid Richardson Energy Services Co.  
SE/4 NW/4 of Section 36, Township 23 South, Range 36 East, NMPM,  
Lea County, New Mexico**

Dear Mr. Dunn:

The permit application for the Sid Richardson Energy Services Co. (Sid Richardson) centralized surface waste management facility located in the SE/4 NW/4 of Section 36, Township 23 South, Range 36 East, NMPM, Lea County, New Mexico, is hereby approved in accordance with New Mexico Oil Conservation Division (OCD) Rule 711 under the conditions contained in the enclosed attachment. **This permit approval is conditional upon the receipt and approval by the Director of financial assurance in the amount of \$25,000 for this facility.** Financial assurance in the amount of \$25,000 is required within 30 days of the date of this permit approval letter. The application consists of the permit application Form C-137 dated May 30, 2001, the public notice dated January 18, 2002, and supplemental materials received February 5, 2002.

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

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

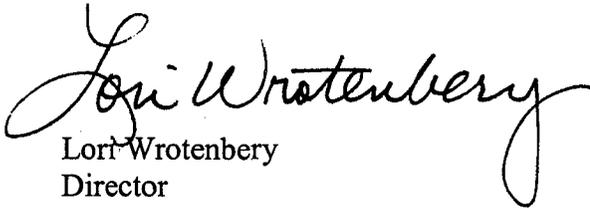
Please be advised that all tanks exceeding 16 feet in diameter and exposed pits, ponds or lagoons must be screened, netted or otherwise rendered non-hazardous to migratory birds. In addition, OCD Rule 310 prohibits oil from being stored or retained in earthen reservoirs or open receptacles.

The facility is subject to periodic inspections by the OCD. The conditions of this permit will be reviewed by the OCD no later than five (5) years from the date of this approval and the facility will be inspected at least once a year.

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

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

Sincerely,



Lori Wrotenbery  
Director

LW/mjk

xc with attachments:  
Hobbs OCD Office

**ATTACHMENT TO OCD 711 PERMIT APPROVAL  
PERMIT NM-02-0019  
SID RICHARDSON ENERGY SERVICES COMPANY  
SE/4 NW/4 of Section 36, Township 23 South, Range 36 East, NMPM,  
Lea County, New Mexico  
(March 18, 2002)**

**LANDFARM CONSTRUCTION**

1. Construction must commence on the landfarm area within one (1) year of the permit approval date. If construction does not commence within one (1) year of the permit approval date, this permit will be of no effect.
2. The facility must be fenced and have a sign at the entrance. The sign must be legible from at least fifty (50) feet and contain the following information: a) name of the facility; b) location by section, township and range and by latitude and longitude; and c) emergency phone number.
3. Contaminated soils may not be placed within one hundred (100) feet of the boundary of the facility.
4. Contaminated soils may not be placed within twenty (20) feet of any pipeline crossing the landfarm. In addition, no equipment may be operated within ten (10) feet of a pipeline. All pipelines crossing the facility must have surface markers identifying the location of the pipelines.
5. The portion of the facility containing contaminated soils must be bermed to prevent runoff and runon. A perimeter berm no less than two (2) feet above grade with a base of at least four (4) feet must be constructed and maintained such that it is capable of containing precipitation from a one-hundred year flood for the specific region. Individual cells must be contained with a berm no less than two (2) feet above grade.
6. All above-ground tanks, saddle tanks or drums located at the facility and containing materials other than fresh water must be placed on an impermeable pad with curb containment. The pad and curb containment must be able to hold one and one-third the volume of the largest tank or all interconnected tanks. The tanks and containers must be labeled as to contents and hazards.

**LANDFARM OPERATION**

1. Disposal may occur only when an attendant is on duty. The facility must be secured when no attendant is present.

2. All contaminated soils received at the facility must be spread and disked within 72 hours of receipt.
3. Soils must be spread on the surface in lifts of 12 inches or less.
4. Soils must be disked a minimum of one time every two weeks (biweekly) to enhance biodegradation of contaminants.
5. Exempt contaminated soils must be placed in the landfarm so that they are physically separate (*i.e.*, bermed) from non-exempt contaminated soils. There may be no mixing of exempt and non-exempt soils.
6. Successive lifts of contaminated soils may not be spread until a laboratory measurement of total petroleum hydrocarbons (TPH) in the previous lift is less than 100 parts per million (ppm), the sum of all aromatic hydrocarbons (BTEX) is less than 50 ppm, and benzene is less than 10 ppm. Comprehensive records of the laboratory analyses and the sampling locations must be maintained. Authorization from the OCD must be obtained prior to application of successive lifts and/or removal of the remediated soils.
7. Prior to removal of remediated soils from the facility the soils must be tested for TPH, BTEX and benzene content. The remediated soils may only be moved to another location when the level of TPH in the remediated soil is less than 100 ppm, BTEX is less than 50 ppm, and benzene is less than 10 ppm. Comprehensive records of the laboratory analyses, destination, and volume of remediated soils removed from the facility will be maintained at the facility for OCD review. Authorization from the OCD Santa Fe office must be obtained prior to removal of the remediated soils to sensitive areas.
8. Moisture may be added as necessary to enhance bioremediation and to control blowing dust. There may be no ponding, pooling or run-off of water allowed. Any ponding of precipitation must be removed within twenty-four (24) hours of discovery.
9. Enhanced bio-remediation through the application of microbes (bugs) and/or fertilizers requires prior approval from the OCD. Requests for application of microbes or fertilizers must include the location of the area designated for the program, the composition of additives, and the method, amount and frequency of application.
10. Any design changes to the landfarm facility must be submitted to the OCD Santa Fe office for approval and a copy must be sent to the Hobbs District office.
11. Landfarm inspection must be conducted on at least a weekly basis and immediately following each consequential rainstorm or windstorm. If any defect is noted, repairs must be made as soon as possible. If the defect will jeopardize the integrity of the landfarm the OCD Santa Fe and Hobbs offices must be notified within 24 hours and additional wastes

may not be placed into the landfarm until repairs have been completed.

12. Within 24 hours of receiving notification from the OCD that an objectionable odor has been detected or reported, the facility must implement the following response procedure:

log date and approximate time of notice that an odor exists;

log investigative steps taken, including date and time, and conclusions reached;  
and

log actions taken to alleviate the odor, which may include adjusting chemical treatment, air sparging, solidification, landfarming, or other similar responses.

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

#### **WASTE ACCEPTANCE CRITERIA**

1. The facility is authorized to accept only exempt and "non-hazardous" non-exempt oilfield wastes that are generated in the State of New Mexico by Sid Richardson Energy Services Co.
2. The facility is authorized to accept only:
  - a. Oilfield wastes that are exempt from RCRA Subtitle C regulations and that do not contain Naturally Occurring Radioactive Material (NORM) regulated pursuant to 20 NMAC 3.1 Subpart 1403.
  - b. "Non-hazardous" non-exempt oilfield wastes on a case-by-case basis after conducting a hazardous waste characterization including corrosivity, reactivity, ignitability, and toxic constituents. The samples for these analyses must be obtained from the wastes prior to removal from the point of origin and without dilution in accordance with EPA SW-846 sampling procedures. The test for hazardous characteristics for a particular waste may be effective for an extended period of time from the date of analysis if approved by the OCD. In addition the generator must certify that this waste does not contain Naturally Occurring Radioactive Material (NORM) regulated pursuant to 20 NMAC 3.1 Subpart 1403.
3. At no time may any OCD-permitted surface waste management facility accept wastes that are hazardous by either listing or characteristic testing
4. No free liquids or soils with free liquids may be accepted at the facility.

5. The transporter of any wastes to the facility must supply a certification that wastes delivered are those wastes received from the generator and that no additional materials have been added.
6. Comprehensive records of all material disposed of at the surface waste management facility must be maintained by the permit holder.

### **TREATMENT ZONE MONITORING**

1. One (1) background soil sample must be taken from undisturbed ground within 20 feet of the landfarm boundary two (2) feet below the native ground surface prior to operation. The sample must be analyzed for total petroleum hydrocarbons (TPH), volatile aromatic organics (BTEX), major cations/anions and Water Quality Control Commission (WQCC) metals.
2. A treatment zone not to exceed three (3) feet beneath the landfarm native ground surface must be monitored. A minimum of one random soil sample must be taken from each individual cell, with no cell being larger than five (5) acres, six (6) months after the first contaminated soils are received in the cell and then quarterly thereafter. The sample must be taken at two (2) to three (3) feet below the native ground surface.
3. The soil samples must be analyzed using EPA-approved methods for total petroleum hydrocarbons (TPH) and volatile aromatic organics (BTEX) quarterly and for major cations/anions and Water Quality Control Commission (WQCC) metals annually.
4. After soil samples are obtained, the boreholes must be filled with an impermeable material such as cement or bentonite.

### **REPORTING**

1. Analytical results from the treatment zone monitoring including a sample location map will be submitted to the OCD Santa Fe office **by March 18 of each year.**
2. Background sample analytical results must be submitted to the OCD Santa Fe office **within thirty (30) days** of receipt from the laboratory.
3. The applicant must notify the **OCD Hobbs District office within 24 hours** of any fire, break, leak, spill, blowout or any other circumstance that could constitute a hazard or contamination in accordance with OCD Rule 116.
4. All records of testing and monitoring must be retained for a period of five (5) years.

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

### FINANCIAL ASSURANCE

1. Pursuant to OCD Rule 711.B.3.a., financial assurance in a form approved by the Director is required from Sid Richardson Energy Services Co. in the amount of **\$25,000** for this facility.
2. Financial assurance must be submitted by **April 18, 2002**.
3. The facility is subject to periodic inspections by the OCD. The conditions of this permit and the facility will be reviewed no later than five (5) years from the date of this approval.

### CLOSURE

1. The OCD Santa Fe and Hobbs offices must be notified when operation of the facility is to be discontinued for a period in excess of six (6) months or when the facility is to be dismantled. Within six (6) months after discontinuing use or within 30 days of deciding to dismantle the facility a closure plan must be submitted to the OCD Santa Fe office for approval. The operator must complete cleanup of constructed facilities and restoration of the facility site within six (6) months of receiving the closure plan approval, unless an extension of time is granted by the Director.
2. A closure plan to include the following procedures must be submitted to the OCD Santa Fe office for approval:
  - a. When the facility is to be closed no new material will be accepted.
  - b. Existing landfarm soils will be remediated until they meet the OCD standards in effect at the time of closure.
  - c. The treatment zone soils beneath the landfarm cells will be characterized as to the total petroleum hydrocarbons (TPH) and volatile aromatic organics (BTEX) content in order to determine potential migration of contamination beneath the facility.
  - d. The area will be contoured, seeded with native grasses and allowed to return to its natural state. At the request of the landowner and approval of the OCD, existing,

structures, berms, or fences may be left in place for future alternative uses.

- e. Closure will be pursuant to all OCD requirements in effect at the time of closure, and any other applicable local, state and/or federal regulations.

**CERTIFICATION**

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

Accepted:

SID RICHARDSON ENERGY SERVICES COMPANY

Signature \_\_\_\_\_ Title \_\_\_\_\_ Date \_\_\_\_\_

**ATTACHMENT TO OCD 711 PERMIT APPROVAL  
PERMIT NM-02-0019  
SID RICHARDSON ENERGY SERVICES COMPANY  
SE/4 NW/4 of Section 36, Township 23 South, Range 36 East, NMPM,  
Lea County, New Mexico  
(March 18, 2002)**

**LANDFARM CONSTRUCTION**

1. Construction must commence on the landfarm area within one (1) year of the permit approval date. If construction does not commence within one (1) year of the permit approval date, this permit will be of no effect.
2. The facility must be fenced and have a sign at the entrance. The sign must be legible from at least fifty (50) feet and contain the following information: a) name of the facility; b) location by section, township and range and by latitude and longitude; and c) emergency phone number.
3. Contaminated soils may not be placed within one hundred (100) feet of the boundary of the facility.
4. Contaminated soils may not be placed within twenty (20) feet of any pipeline crossing the landfarm. In addition, no equipment may be operated within ten (10) feet of a pipeline. All pipelines crossing the facility must have surface markers identifying the location of the pipelines.
5. The portion of the facility containing contaminated soils must be bermed to prevent runoff and runoff. A perimeter berm no less than two (2) feet above grade with a base of at least four (4) feet must be constructed and maintained such that it is capable of containing precipitation from a one-hundred year flood for the specific region. Individual cells must be contained with a berm no less than two (2) feet above grade.
6. All above-ground tanks, saddle tanks or drums located at the facility and containing materials other than fresh water must be placed on an impermeable pad with curb containment. The pad and curb containment must be able to hold one and one-third the volume of the largest tank or all interconnected tanks. The tanks and containers must be labeled as to contents and hazards.

**LANDFARM OPERATION**

1. Disposal may occur only when an attendant is on duty. The facility must be secured when no attendant is present.

2. All contaminated soils received at the facility must be spread and disked within 72 hours of receipt.
3. Soils must be spread on the surface in lifts of 12 inches or less.
4. Soils must be disked a minimum of one time every two weeks (biweekly) to enhance biodegradation of contaminants.
5. Exempt contaminated soils must be placed in the landfarm so that they are physically separate (*i.e.*, bermed) from non-exempt contaminated soils. There may be no mixing of exempt and non-exempt soils.
6. Successive lifts of contaminated soils may not be spread until a laboratory measurement of total petroleum hydrocarbons (TPH) in the previous lift is less than 100 parts per million (ppm), the sum of all aromatic hydrocarbons (BTEX) is less than 50 ppm, and benzene is less than 10 ppm. Comprehensive records of the laboratory analyses and the sampling locations must be maintained. Authorization from the OCD must be obtained prior to application of successive lifts and/or removal of the remediated soils.
7. Prior to removal of remediated soils from the facility the soils must be tested for TPH, BTEX and benzene content. The remediated soils may only be moved to another location when the level of TPH in the remediated soil is less than 100 ppm, BTEX is less than 50 ppm, and benzene is less than 10 ppm. Comprehensive records of the laboratory analyses, destination, and volume of remediated soils removed from the facility will be maintained at the facility for OCD review. Authorization from the OCD Santa Fe office must be obtained prior to removal of the remediated soils to sensitive areas.
8. Moisture may be added as necessary to enhance bioremediation and to control blowing dust. There may be no ponding, pooling or run-off of water allowed. Any ponding of precipitation must be removed within twenty-four (24) hours of discovery.
9. Enhanced bio-remediation through the application of microbes (bugs) and/or fertilizers requires prior approval from the OCD. Requests for application of microbes or fertilizers must include the location of the area designated for the program, the composition of additives, and the method, amount and frequency of application.
10. Any design changes to the landfarm facility must be submitted to the OCD Santa Fe office for approval and a copy must be sent to the Hobbs District office.
11. Landfarm inspection must be conducted on at least a weekly basis and immediately following each consequential rainstorm or windstorm. If any defect is noted, repairs must be made as soon as possible. If the defect will jeopardize the integrity of the landfarm the OCD Santa Fe and Hobbs offices must be notified within 24 hours and additional wastes

may not be placed into the landfarm until repairs have been completed.

12. Within 24 hours of receiving notification from the OCD that an objectionable odor has been detected or reported, the facility must implement the following response procedure:

log date and approximate time of notice that an odor exists;

log investigative steps taken, including date and time, and conclusions reached;  
and

log actions taken to alleviate the odor, which may include adjusting chemical treatment, air sparging, solidification, landfarming, or other similar responses.

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

#### **WASTE ACCEPTANCE CRITERIA**

1. The facility is authorized to accept only exempt and "non-hazardous" non-exempt oilfield wastes that are generated in the State of New Mexico by Sid Richardson Energy Services Co.
2. The facility is authorized to accept only:
  - a. Oilfield wastes that are exempt from RCRA Subtitle C regulations and that do not contain Naturally Occurring Radioactive Material (NORM) regulated pursuant to 20 NMAC 3.1 Subpart 1403.
  - b. "Non-hazardous" non-exempt oilfield wastes on a case-by-case basis after conducting a hazardous waste characterization including corrosivity, reactivity, ignitability, and toxic constituents. The samples for these analyses must be obtained from the wastes prior to removal from the point of origin and without dilution in accordance with EPA SW-846 sampling procedures. The test for hazardous characteristics for a particular waste may be effective for an extended period of time from the date of analysis if approved by the OCD. In addition the generator must certify that this waste does not contain Naturally Occurring Radioactive Material (NORM) regulated pursuant to 20 NMAC 3.1 Subpart 1403.
3. At no time may any OCD-permitted surface waste management facility accept wastes that are hazardous by either listing or characteristic testing
4. No free liquids or soils with free liquids may be accepted at the facility.

5. The transporter of any wastes to the facility must supply a certification that wastes delivered are those wastes received from the generator and that no additional materials have been added.
6. Comprehensive records of all material disposed of at the surface waste management facility must be maintained by the permit holder.

### **TREATMENT ZONE MONITORING**

1. One (1) background soil sample must be taken from undisturbed ground within 20 feet of the landfarm boundary two (2) feet below the native ground surface prior to operation. The sample must be analyzed for total petroleum hydrocarbons (TPH), volatile aromatic organics (BTEX), major cations/anions and Water Quality Control Commission (WQCC) metals.
2. A treatment zone not to exceed three (3) feet beneath the landfarm native ground surface must be monitored. A minimum of one random soil sample must be taken from each individual cell, with no cell being larger than five (5) acres, six (6) months after the first contaminated soils are received in the cell and then quarterly thereafter. The sample must be taken at two (2) to three (3) feet below the native ground surface.
3. The soil samples must be analyzed using EPA-approved methods for total petroleum hydrocarbons (TPH) and volatile aromatic organics (BTEX) quarterly and for major cations/anions and Water Quality Control Commission (WQCC) metals annually.
4. After soil samples are obtained, the boreholes must be filled with an impermeable material such as cement or bentonite.

### **REPORTING**

1. Analytical results from the treatment zone monitoring including a sample location map will be submitted to the OCD Santa Fe office **by March 18 of each year.**
2. Background sample analytical results must be submitted to the OCD Santa Fe office **within thirty (30) days** of receipt from the laboratory.
3. The applicant must notify the **OCD Hobbs District office within 24 hours** of any fire, break, leak, spill, blowout or any other circumstance that could constitute a hazard or contamination in accordance with OCD Rule 116.
4. All records of testing and monitoring must be retained for a period of five (5) years.

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

### **FINANCIAL ASSURANCE**

1. Pursuant to OCD Rule 711.B.3.a., financial assurance in a form approved by the Director is required from Sid Richardson Energy Services Co. in the amount of **\$25,000** for this facility.
2. Financial assurance must be submitted by **April 18, 2002**.
3. The facility is subject to periodic inspections by the OCD. The conditions of this permit and the facility will be reviewed no later than five (5) years from the date of this approval.

### **CLOSURE**

1. The OCD Santa Fe and Hobbs offices must be notified when operation of the facility is to be discontinued for a period in excess of six (6) months or when the facility is to be dismantled. Within six (6) months after discontinuing use or within 30 days of deciding to dismantle the facility a closure plan must be submitted to the OCD Santa Fe office for approval. The operator must complete cleanup of constructed facilities and restoration of the facility site within six (6) months of receiving the closure plan approval, unless an extension of time is granted by the Director.
2. A closure plan to include the following procedures must be submitted to the OCD Santa Fe office for approval:
  - a. When the facility is to be closed no new material will be accepted.
  - b. Existing landfarm soils will be remediated until they meet the OCD standards in effect at the time of closure.
  - c. The treatment zone soils beneath the landfarm cells will be characterized as to the total petroleum hydrocarbons (TPH) and volatile aromatic organics (BTEX) content in order to determine potential migration of contamination beneath the facility.
  - d. The area will be contoured, seeded with native grasses and allowed to return to its natural state. At the request of the landowner and approval of the OCD, existing,

structures, berms, or fences may be left in place for future alternative uses.

- e. Closure will be pursuant to all OCD requirements in effect at the time of closure, and any other applicable local, state and/or federal regulations.

**CERTIFICATION**

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

Accepted:

SID RICHARDSON ENERGY SERVICES COMPANY

Signature  Title Field Manager Date 3-25-02