

GW - 49-1

**PERMITS,
RENEWALS,
& MODS**



Enterprise Products™

ENTERPRISE PRODUCTS PARTNERS LP
ENTERPRISE PRODUCTS OPERATING LLC

ENTERPRISE PRODUCTS GP, LLC, GENERAL PARTNER
ENTERPRISE PRODUCTS OLP GP, INC., SOLE MANAGER

June 25, 2008

8623 6321 1613
Federal Express

Mr. Wayne Price
Environmental Bureau Chief
Oil Conservation Division
1220 South St. Francis Drive
Santa Fe, NM 87505

RE: Discharge Plan Renewals
Reed Canyon Compressor Station
Gonzales Mesa Compressor Station
Blanco Plant
Burton Flats North Compressor Station
Bass James Compressor Station
Kutz Hydrocarbon Recovery Facility

2008 JUN 27 PM 3 07
RECEIVED

Dear Mr. Price;

Enclosed are the signed referenced plans. Sorry for the delay, but as emailed to you, I had to wait for the return of the responsible official.

Should you have questions or need additional information, please contact me at 713-880-6595.

Yours truly,

Shiver J. Nolan
Sr. Compliance Administrator

enclosures



New Mexico Energy, Minerals and Natural Resources Department

Bill Richardson
Governor

Joanna Prukop
Cabinet Secretary
Reese Fullerton
Deputy Cabinet Secretary

Mark Fesmire
Division Director
Oil Conservation Division



RECEIVED

June 06, 2008

JUN 16 2008

Mr. Doug Jordan
Enterprise Products Operating LP
P. O. Box 4324
Houston, TX 77210-4324

Environmental Department

Re: Discharge Permit Renewal
Kutz Hydrocarbon Recovery Facility (GW-49-1)
S/2, Section 11, Township 29 North, Range 11 West, NMPM,
San Juan County, New Mexico

Dear Mr. Jordan

Pursuant to Water Quality Control Commission (WQCC) Regulations 20.6.2.3104 - 20.6.2.3114 NMAC, the Oil Conservation Division (OCD) hereby approves the discharge permit for the **Enterprise Products Operating LP** (owner/operator) for the above referenced site contingent upon the conditions specified in the enclosed **Attachment to the Discharge Permit**. Enclosed are two copies of the conditions of approval. **Please sign and return one copy to the New Mexico Oil Conservation Division (OCD) Santa Fe Office within 10 working days of receipt of this letter.**

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

If you have any questions, please contact Brad Jones of my staff at (505-476-3487) or E-mail brad.a.jones@state.nm.us. On behalf of the staff of the OCD, I wish to thank you and your staff for your cooperation during this discharge permit review.

Sincerely,



Wayne Price
Environmental Bureau Chief

Attachments-1

cc: OCD District III Office, Aztec
Runell A. Seale, Permitting Specialist, EPCO, Inc., Farmington, NM



ATTACHMENT- DISCHARGE PERMIT APPROVAL CONDITIONS

- 1. Payment of Discharge Plan Fees:** All discharge permits are subject to WQCC Regulations. Every billable facility that submits a discharge permit application will be assessed a filing fee of \$100.00, plus a flat fee (*see* WQCC Regulation 20.6.2.3114 NMAC). The Oil Conservation Division (“OCD”) has received the required \$100.00 filing fee. The flat fee for a general permit is \$600.00. The OCD has received the required \$600.00 permit fee. **Please submit the signed certification item 23 of this document within 10 days.**
- 2. Permit Expiration, Renewal Conditions and Penalties:** Pursuant to WQCC Regulation 20.6.2.3109.H.4 NMAC, this permit is valid for a period of five years. **The permit will expire on June 17, 2011** and an application for renewal should be submitted no later than 120 days before that expiration date. Pursuant to WQCC Regulation 20.6.2.3106.F NMAC, if a discharger submits a discharge permit renewal application at least 120 days before the discharge permit expires and is in compliance with the approved permit, then the existing discharge permit will not expire until the application for renewal has been approved or disapproved. ***Expired permits are a violation of the Water Quality Act {Chapter 74, Article 6, NMSA 1978} and civil penalties may be assessed accordingly.***
- 3. Permit Terms and Conditions:** Pursuant to WQCC Regulation 20.6.2.3104 NMAC, when a permit has been issued, the owner/operator must ensure that all discharges shall be consistent with the terms and conditions of the permit. In addition, all facilities shall abide by the applicable rules and regulations administered by the OCD pursuant to the Oil and Gas Act, NMSA 1978, Sections 70-2-1 through 70-2-38.
- 4. Owner/Operator Commitments:** The owner/operator shall abide by all commitments submitted in its February 2008 discharge plan application, including attachments and subsequent amendments and these conditions for approval. Permit applications that reference previously approved plans on file with the division shall be incorporated in this permit and the owner/operator shall abide by all previous commitments of such plans and these conditions for approval.
- 5. Modifications:** WQCC Regulation 20.6.2.3107.C, and 20.6.2.3109 NMAC addresses possible future modifications of a permit. The owner/operator (discharger) shall notify the OCD of any facility expansion, production increase or process modification that would result in any significant modification in the discharge of water contaminants. The Division Director may require a permit modification if any water quality standard specified at 20.6.2.3103 NMAC is being or will be exceeded, or if a toxic pollutant as defined in WQCC Regulation 20.6.2.7 NMAC is present in ground water at any place of withdrawal for present or reasonably foreseeable future use, or that the Water Quality Standards for Interstate and Intrastate streams as specified in 20.6.4 NMAC are being or may be violated in surface water in New Mexico.
- 6. Waste Disposal and Storage:** The owner/operator shall dispose of all wastes at an OCD-approved facility. Only oil field RCRA-exempt wastes may be disposed of by injection in a Class II well. RCRA non-hazardous, non-exempt oil field wastes may be disposed of at an OCD-approved facility upon proper waste determination pursuant to 40 CFR Part 261. Any

waste stream that is not listed in the discharge permit application must be approved by the OCD on a case-by-case basis.

A. OCD Rule 712 Waste: Pursuant to OCD Rule 712 (19.15.9.712 NMAC) disposal of certain non-domestic waste without notification to the OCD is allowed at NMED permitted solid waste facilities if the waste stream has been identified in the discharge permit and existing process knowledge of the waste stream does not change.

B. Waste Storage: The owner/operator shall store all waste in an impermeable bermed area, except waste generated during emergency response operations for up to 72 hours. All waste storage areas shall be identified in the discharge permit application. Any waste storage area not identified in the permit shall be approved on a case-by-case basis only. The owner/operator shall not store oil field waste on-site for more than 180 days unless approved by the OCD.

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8. Process, Maintenance and Yard Areas: The owner/operator shall either pave and curb or have some type of spill collection device incorporated into the design at all process, maintenance, and yard areas which show evidence that water contaminants from releases, leaks and spills have reached the ground surface.

9. Above Ground Tanks: The owner/operator shall ensure that all aboveground tanks have impermeable secondary containment (e.g., liners and berms), which will contain a volume of at least one-third greater than the total volume of the largest tank or all interconnected tanks. The owner/operator shall retrofit all existing tanks before discharge permit renewal. Tanks that contain fresh water or fluids that are gases at atmospheric temperature and pressure are exempt from this condition.

10. Labeling: The owner/operator shall clearly label all tanks, drums, and containers to identify their contents and other emergency notification information. The owner/operator may use a tank code numbering system, which is incorporated into their emergency response plans.

11. Below-Grade Tanks/Sumps and Pits/Ponds.

A. All below-grade tanks and sumps must be approved by the OCD prior to installation and must incorporate secondary containment with leak detection into the design. The owner/operator shall retrofit all existing systems without secondary containment and leak detection before discharge permit renewal. All existing below-grade tanks and sumps without secondary containment and leak detection must be tested annually or as specified herein. Systems that have secondary containment with leak detection shall have a monthly inspection of the leak detection system to determine if the primary containment is leaking. Small sumps or

depressions in secondary containment systems used to facilitate fluid removal are exempt from these requirements if fluids are removed within 72 hours.

B. All pits and ponds, including modifications and retrofits, shall be designed by a certified registered professional engineer and approved by the OCD prior to installation. In general, all pits or ponds shall have approved hydrologic and geologic reports, location, foundation, liners, and secondary containment with leak detection, monitoring and closure plans. All pits or ponds shall be designed, constructed and operated so as to contain liquids and solids in a manner that will protect fresh water, public health, safety and the environment for the foreseeable future. The owner/operator shall retrofit all existing systems without secondary containment and leak detection before discharge permit renewal.

C. The owner/operator shall ensure that all exposed pits, including lined pits and open top tanks (8 feet in diameter or larger) shall be fenced, screened, netted, or otherwise rendered non-hazardous to wildlife, including migratory birds.

D. The owner/operator shall maintain the results of tests and inspections at the facility covered by this discharge permit and available for OCD inspection. The owner/operator shall report the discovery of any system which is found to be leaking or has lost integrity to the OCD within 15 days. The owner/operator may propose various methods for testing such as pressure testing to 3 pounds per square inch greater than normal operating pressure and/or visual inspection of cleaned tanks and/or sumps, or other OCD-approved methods. The owner/operator shall notify the OCD at least 72 hours prior to all testing.

12. Underground Process/Wastewater Lines:

A. The owner/operator shall test all underground process/wastewater pipelines at least once every five (5) years to demonstrate their mechanical integrity, except lines containing fresh water or fluids that are gases at atmospheric temperature and pressure. Pressure rated pipe shall be tested by pressuring up to one and one-half times the normal operating pressure, if possible, or for atmospheric drain systems, to 3 pounds per square inch greater than normal operating pressure, and pressure held for a minimum of 30 minutes with no more than a 1% loss/gain in pressure. The owner/operator may use other methods for testing if approved by the OCD.

B. The owner/operator shall maintain underground process and wastewater pipeline schematic diagrams or plans showing all drains, vents, risers, valves, underground piping, pipe type, rating, size, and approximate location. All new underground piping must be approved by the OCD prior to installation. The owner/operator shall report any leaks or loss of integrity to the OCD within 15 days of discovery. The owner/operator shall maintain the results of all tests at the facility covered by this discharge permit and they shall be available for OCD inspection. The owner/operator shall notify the OCD at least 72 hours prior to all testing.

13. Class V Wells: The owner/operator shall close all Class V wells (e.g., septic systems, leach fields, dry wells, etc.) that inject non-hazardous industrial wastes or a mixture of industrial wastes and domestic wastes unless it can be demonstrated that ground water will not be impacted in the reasonably foreseeable future. Leach fields and other wastewater disposal systems at

OCD-regulated facilities that inject non-hazardous fluid into or above an underground source of drinking water are considered Class V injection wells under the EPA UIC program. Class V wells, that inject domestic waste only, must be permitted by the New Mexico Environment Department (NMED).

- 14. Housekeeping:** The owner/operator shall inspect all systems designed for spill collection/prevention and leak detection at least monthly to ensure proper operation and to prevent over topping or system failure. All spill collection and/or secondary containment devices shall be emptied of fluids within 72 hours of discovery. The owner/operator shall maintain all records at the facility and available for OCD inspection.
- 15. Spill Reporting:** The owner/operator shall report all unauthorized discharges, spills, leaks and releases and conduct corrective action pursuant to WQCC Regulation 20.5.12.1203 NMAC and OCD Rule 116 (19.15.3.116 NMAC). The owner/operator shall notify both the OCD District Office and the Santa Fe Office within 24 hours and file a written report within 15 days.
- 16. OCD Inspections:** The OCD may place additional requirements on the facility and modify the permit conditions based on OCD inspections.
- 17. Storm Water:** The owner/operator shall implement and maintain run-on and runoff plans and controls. The owner/operator shall not discharge any water contaminant that exceeds the WQCC standards specified in 20.6.2.3101 NMAC or 20.6.4 NMAC (Water Quality Standards for Interstate and Intrastate Streams) including any oil sheen in any stormwater runoff. The owner/operator shall notify the OCD within 24 hours of discovery of any releases and shall take immediate corrective action(s) to stop the discharge.
- 18. Unauthorized Discharges:** The owner/operator shall not allow or cause water pollution, discharge or release of any water contaminant that exceeds the WQCC standards listed in 20.6.2.3101 NMAC or 20.6.4 NMAC (Water Quality Standards for Interstate and Intrastate Streams) unless specifically listed in the permit application and approved herein. **An unauthorized discharge is a violation of this permit.**
- 19. Vadose Zone and Water Pollution:** The owner/operator shall address any contamination through the discharge permit process or pursuant to WQCC 20.6.2.4000-.4116 NMAC (Prevention and Abatement of Water Pollution). The OCD may require the owner/operator to modify its permit for investigation, remediation, abatement, and monitoring requirements for any vadose zone or water pollution. Failure to perform any required investigation, remediation, abatement and submit subsequent reports will be a violation of the permit.
- 20. Additional Site Specific Conditions:** N/A
- 21. Transfer of Discharge Permit (WQCC 20.6.2.3111)** Prior to any transfer of ownership, control, or possession (whether by lease, conveyance or otherwise) of a facility with a discharge permit, the transferor shall notify the transferee in writing of the existence of the discharge permit, and shall deliver or send by certified mail to the department a copy of such written

notification, together with a certification or other proof that such notification has in fact been received by the transferee.

Upon receipt of such notification, the transferee shall have the duty to inquire into all of the provisions and requirements contained in such discharge permit, and the transferee shall be charged with notice of all such provisions and requirements as they appear of record in the department's file or files concerning such discharge permit. The transferee (new owner/operator) shall sign and return an original copy of these permit conditions and provide a written commitment to comply with the terms and conditions of the previously approved discharge permit.

22. Closure Plan and Financial Assurance: Pursuant to 20.6.2.3107 NMAC an owner/operator shall notify the OCD when any operations of the facility are to be discontinued for a period in excess of six months. Prior to closure, or as a condition of this permit, or request from the OCD, the operator will submit an approved closure plan, modified plan, and/or provide adequate financial assurance.

23. Certification: (Owner/Operator), by the officer whose signature appears below, accepts this permit and agrees to comply with all submitted commitments, including these terms and conditions contained here. **Owner/Operator** further acknowledges that the OCD may, for good cause shown, as necessary to protect fresh water, public health, safety, and the environment, change the conditions and requirements of this permit administratively.

Conditions accepted by: "I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment."

Enterprise Products Operating LLC

Company Name-print name above

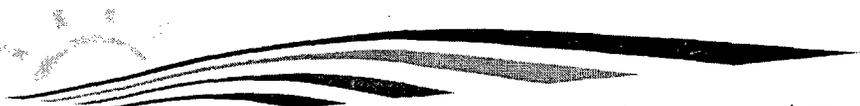
Terry L. Hurlburt

Company Representative- print name

Company Representative- Signature

Title Senior Vice President-Operations

Date: 6/24/2008



New Mexico Energy, Minerals and Natural Resources Department

Bill Richardson
Governor

Joanna Prukop
Cabinet Secretary
Reese Fullerton
Deputy Cabinet Secretary

Mark Fesmire
Division Director
Oil Conservation Division



June 06, 2008

Mr. Doug Jordan
Enterprise Products Operating LP
P. O. Box 4324
Houston, TX 77210-4324

Re: Discharge Permit Renewal
Kutz Hydrocarbon Recovery Facility (GW-49-1)
S/2, Section 11, Township 29 North, Range 11 West, NMPM,
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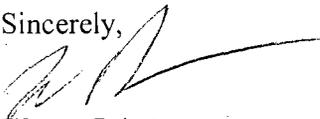
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If you have any questions, please contact Brad Jones of my staff at (505-476-3487) or E-mail brad.a.jones@state.nm.us. On behalf of the staff of the OCD, I wish to thank you and your staff for your cooperation during this discharge permit review.

Sincerely,



Wayne Price
Environmental Bureau Chief

Attachments-1

cc: OCD District III Office, Aztec
Runell A. Seale, Permitting Specialist, EPCO, Inc., Farmington, NM





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20. Additional Site Specific Conditions: N/A

21. Transfer of Discharge Permit (WQCC 20.6.2.3111) Prior to any transfer of ownership, control, or possession (whether by lease, conveyance or otherwise) of a facility with a discharge permit, the transferor shall notify the transferee in writing of the existence of the discharge permit, and shall deliver or send by certified mail to the department a copy of such written

notification, together with a certification or other proof that such notification has in fact been received by the transferee.

Upon receipt of such notification, the transferee shall have the duty to inquire into all of the provisions and requirements contained in such discharge permit, and the transferee shall be charged with notice of all such provisions and requirements as they appear of record in the department's file or files concerning such discharge permit. The transferee (new owner/operator) shall sign and return an original copy of these permit conditions and provide a written commitment to comply with the terms and conditions of the previously approved discharge permit.

22. Closure Plan and Financial Assurance: Pursuant to 20.6.2.3107 NMAC an owner/operator shall notify the OCD when any operations of the facility are to be discontinued for a period in excess of six months. Prior to closure, or as a condition of this permit, or request from the OCD, the operator will submit an approved closure plan, modified plan, and/or provide adequate financial assurance.

23. Certification: (Owner/Operator), by the officer whose signature appears below, accepts this permit and agrees to comply with all submitted commitments, including these terms and conditions contained here. **Owner/Operator** further acknowledges that the OCD may, for good cause shown, as necessary to protect fresh water, public health, safety, and the environment, change the conditions and requirements of this permit administratively.

Conditions accepted by: "I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment."

Company Name-print name above

Company Representative- print name

Company Representative- Signature

Title _____

Date: _____

THE
DAILY TIMES
FARMINGTON, NEW MEXICO
THE FOUR CORNERS INFORMATION LEADER

PO Box 450 Farmington, NM 87499

RECEIVED
2008 APR 10 PM 1 27

Date: 04/01/08

OIL CONSERVATION DIVISION

OIL CONSERVATION DIVISIO
220 SOUTH ST. FRANCIS DRIVE
SANTA FE, NM 87505
505) 476-3440

Ad#	Publication	Class	Start	Stop	Times	AS/400 Acct
000951057	FARMINGTO	0152 - Legal Notices	03/31/2008	03/31/2008	1	781442
000951057	FARMINGTO	0152 - Legal Notices	03/31/2008	03/31/2008	1	781442
Total Cost:						\$221.86
Payment:						\$0.00
Balance Due:						\$221.86

TEXT:

NOTICE OF PUBLICATION STATE OF NEW MEXICO ENERGY, MINERALS AND NAT

Please include Ad number on your payment.

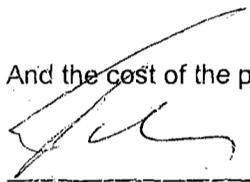
STATE OF NEW MEXICO
County of San Juan:

COPY OF PUBLICATION

BOB WALLER, being duly sworn says: That he is the CLASSIFIED MANAGER of THE DAILY TIMES, a daily newspaper of general circulation published in English at Farmington, said county and state, and that the hereto attached Legal Notice was published in a regular and entire issue of the said DAILY TIMES, a daily newspaper duly qualified for the purpose within the meaning of Chapter 167 of the 1937 Session Laws of the State of New Mexico for publication and appeared in the Internet at The Daily Times web site on the following day(s):

Monday March 31, 2008

And the cost of the publication is \$221.86



ON 4/02/08 BOB WALLER appeared before me, whom I know personally to be the person who signed the above document.

Christine Sellers
My Commission expires 11/05, 2011

NOTICE OF PUBLICATION

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

Notice is hereby given that pursuant to New Mexico Water Quality Control Commission Regulations (20.6.2.3106 NMAC) the following discharge permit application(s) has been submitted to the Director of the New Mexico Oil Conservation Division ("NMOCD"), 1220 S. Saint Francis Drive, Santa Fe, New Mexico 87505. Telephone (505)476-3440:

Enterprise Products Operating LP, Mr. Doug Jordan 713-880-6629 P.O. Box 4324, Houston, TX 77210-4324 has applied for discharge permit renewals for their Natural Gas Liquids (NGL) pipeline compressor stations and a hydrocarbon recovery facility as listed below:

(GW-49-1) The Kutz Hydrocarbon Recovery facility located in the N/2, Section 11, Township 29 North, Range 11 West, San Juan County, New Mexico. The facility is approximately 3 miles north of Bloomfield, New Mexico and is located off of Highway 550, one mile east on County Road 4900. Approximately 1,800 gallons per day of process wastewater is collected in an above ground closed top tank prior to transport to an OCD approved off-site disposal facility. Groundwater most likely to be affected by an accidental discharge is at a depth ranging approximately 15 to 20 feet with a total dissolved solids concentration ranging from quality of 300 to 500 mg/L.

(GW-49-2) The Blanco Plant C & D Compressor Station is located in the N/2, Section 14, Township 29 North, Range 11 West, San Juan County, New Mexico. The facility is approximately 3 miles north of Bloomfield, New Mexico and is located off of Highway 550, one mile east on County Road 4900. Any discharge at the facility will be stored in a closed top receptacle and disposed of at an OCD approved facility. Groundwater most likely to be affected by an accidental discharge is at a depth ranging approximately 15 to 20 feet with a total dissolved solids concentration ranging from quality of 300 to 500 mg/L.

(GW-299) The Gonzales Mesa Compressor Station is located in the NE/4, SE/4, Section 33, Township 26 North, Range 6 West Rio Arriba County, New Mexico. The facility is approximately 8 miles southeast of Bloomfield, New Mexico and is located off of Highway 550, 6 miles east on County Road 7425, and 2.3 miles north on County Road 7007. Any discharge at the facility will be stored in a closed top receptacle and disposed of at an OCD approved facility. Groundwater most likely to be affected by an accidental discharge is at a depth of 500 feet with a total dissolved solids concentration of 650 mg/L.

(GW-300) The Reed Canyon Compressor Station is located in the SE/4, NE/4, Section 14, Township 26 North, Range 9 West, San Juan County, New Mexico. The facility is approximately 28 miles east of Blanco, New Mexico and is located off of Highway 550, 4.2 miles east on County Road 4450, and 28 miles east on County Road 4990. Any discharge at the facility will be stored in a closed top receptacle and disposed of at an OCD approved facility. Groundwater most likely to be affected by an accidental discharge is at a depth of 235 feet with a total dissolved solids concentration of 700 mg/L.

The discharge plan addresses how oilfield products and waste will be properly handled, stored, and disposed of, including how spills, leaks, and other accidental discharges to the surface will be managed in order to protect fresh water.

The NMOCD has determined that the application is administratively complete and has prepared a draft permit. The NMOCD will accept comments and statements of interest regarding this application and will create a facility-specific mailing list for persons who wish to receive future notices. Persons interested in obtaining further information, submitting comments or requesting to be on a facility-specific mailing list for future notices may contact the Environmental Bureau Chief of the Oil Conservation Division at the address given above. The administrative completeness determination and draft permit may be viewed at the above address between 8:00 a.m. and 4:00 p.m. Monday through Friday or may also be viewed at the NMOCD web site <http://www.emnr.state.nm.us/ocd/ENV-DraftPublicEtc.htm>. Persons interested in obtaining a copy of the application and draft permit may contact the NMOCD at the address given above. Prior to ruling on any proposed discharge permit or major modification, the Director shall allow a period of at least thirty (30) days after the date of publication of this notice, during which interested persons may submit comments or request that NMOCD hold a public hearing. Requests for a public hearing shall set forth the reasons why a hearing should be held. A hearing will be held if the Director determines that there is significant public interest.

If no public hearing is held the Director will approve or disapprove the proposed permit based on information available, including all comments received. If a public hearing is held the director will approve or disapprove the proposed permit based on information in the permit application and information submitted at the hearing.

Para obtener mas informacion sobre esta solicitud en español, sirvase comunicarse por favor: New Mexico Energy, Minerals and Natural Resources Department (Depto. Del Energia, Minerals y Recursos Naturales de Nuevo Mexico), Oil Conservation Division (Depto. Conservacion Del Petroleo), 1220 South St. Francis Drive, Santa Fe, New Mexico (Contacto: Dorothy Phillips, 505-476-3461)

GIVEN under the Seal of New Mexico Oil Conservation Commission at Santa Fe, New Mexico, on this 20th day of March 2008.

STATE OF NEW MEXICO
OIL CONSERVATION DIVISION
SEAL Mark Fesmire, Director

Legal No. 59966 published in The Daily Times, Farmington, New Mexico on Monday March 31, 2008.

THE SANTA FE
NEW MEXICAN
Founded 1849

2008 APR 14 PM 1:23
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NM EMNRD OIL CONSERV
1220 S ST FRANCIS DR
SANTA FE NM 87505

ALTERNATE ACCOUNT: 56689
AD NUMBER: 00250615 ACCOUNT: 00002212
LEGAL NO: 82600 P.O. #: 52100-7521
357 LINES 1 TIME(S) 310.80
AFFIDAVIT: 7.00
TAX: 25.23
TOTAL: 343.03

AFFIDAVIT OF PUBLICATION

STATE OF NEW MEXICO
COUNTY OF SANTA FE

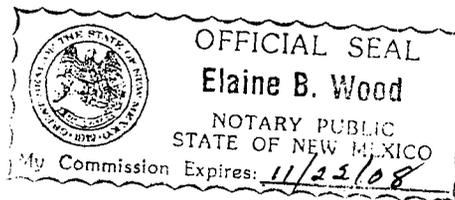
I, T. Valencia, being first duly sworn declare and say that I am Legal Advertising Representative of THE SANTA FE NEW MEXICAN, a daily newspaper published in the English language, and having a general circulation in the Counties of Santa Fe and Los Alamos, State of New Mexico and being a newspaper duly qualified to publish legal notices and advertisements under the provisions of Chapter 167 on Session Laws of 1937; that the publication # 82600 a copy of which is hereto attached was published in said newspaper 1 day(s) between 04/02/2008 and 04/02/2008 and that the notice was published in the newspaper proper and not in any supplement; the first date of publication being on the 2nd day of April, 2008 and that the undersigned has personal knowledge of the matter and things set forth in this affidavit.

/s/ *T. Valencia*
LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 1st day of April, 2008

Notary *Elaine B Wood*

Commission Expires: *November 22, 2008*



*OK copy
BAG
4/15/08*

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

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County Road 4900. Any discharge at the facility will be stored in a closed top receptacle and disposed of at an OCD approved facility. Groundwater most likely to be affected by an accidental discharge is at a depth ranging approximately 15 to 20 feet with a total dissolved solids concentration ranging from quality of 300 to 500 mg/L.

(GW-299) The Gonzales Mesa Compressor Station is located in the NE/4, SE/4, Section 33, Township 26 North, Range 6 West Rio Arriba County, New Mexico. The facility is approximately 8 miles southeast of Bloomfield, New Mexico and is located off of Highway 550, 6 miles east on County Road 7425 and 2.3 miles north on County Road 7007. Any discharge at the facility will be stored in a closed top receptacle and disposed of at an OCD approved facility. Groundwater most likely to be affected by an accidental discharge is at a depth of 500 feet with a total dissolved solids concentration of 650 mg/L.

(GW-300) The Reed Canyon Compressor Station is located in the SE/4, NE/4, Section 14, Township 26 North, Range 9 West, San Juan County, New Mexico. The facility is approximately 28 miles east of Blanco, New Mexico and is located off of Highway 550, 4.2 miles east on County Road 4480, and 28 miles east on County Road 4990. Any discharge at the facility will be stored in a closed top receptacle and disposed of at an OCD approved facility. Groundwater most likely to be affected by an accidental discharge is at a depth of 235 feet with a total dissolved solids concentration of 700 mg/L.

(GW-267) The Bass James Compressor Station is located in the SW/4 of SE/4 of Section 36, Township 22 South, Range 30 East, Eddy County, New Mexico. The facility is 10.5 miles NNE of Carlsbad, New Mexico and is located on the Burton Flat just east of Buckskin Road near the intersection of Buckskin Road and

County Road 238. Any discharge at the facility will be stored in a closed top receptacle and disposed of at an OCD approved facility. Groundwater depth is approximately 250 feet deep with a total dissolved solids concentration of approximately 3860 mg/L.

(GW-241) - The Burton Flats North Compressor Station located in the SE/4 NW/4, Section 14, Township 20 South, Range 28 East Eddy County, New Mexico. The facility is 15.6 miles ENE of Loving, New Mexico and is located on the Los Medanos off of County Road 802, 0.7 miles north of the intersection of County Road 802 and Mills Ranch Road. Any discharge at the facility will be stored in a closed top receptacle and disposed of at an OCD approved facility. Groundwater most likely to be affected by an accidental discharge is at a depth ranging of approximately 20 to 26 feet with a total dissolved solids concentration ranging from quality of 188 to 15,000 mg/L.

The discharge plan addresses how oil-field products and waste will be properly handled, stored, and disposed of, including how spills, leaks, and other accidental discharges to the surface will be managed in order to protect fresh water.

The NMOCD has determined that the application is administratively complete and has prepared a draft permit. The NMOCD will accept comments and statements of interest regarding this application and will create a facility-specific mailing list for persons who wish to receive future notices. Persons interested in obtaining further information, submitting comments or requesting to be on a facility-specific mailing list for future notices may contact the Environmental Bureau Chief of the Oil Conservation Division at the address given above. The administrative completeness determination and draft permit may be viewed at the above address between 8:00 a.m. and 4:00 p.m.,

Monday through Friday, or may also be viewed at the NMOCD web site <http://www.emnrd.state.nm.us/ocd/ENV-DraftPublicEtc.htm>. Persons interested in obtaining a copy of the application and draft permit may contact the NMOCD at the address given above. Prior to ruling on any proposed discharge permit or major modification, the Director shall allow a period of at least thirty (30) days after the date of publication of this notice, during which interested persons may submit comments or request that NMOCD hold a public hearing. Requests for a public hearing shall set forth the reasons why a hearing should be held. A hearing will be held if the Director determines that there is significant public interest.

If no public hearing is held, the Director will approve or disapprove the proposed permit based on information available, including all comments received. If a public hearing is held, the director will approve or disapprove the proposed permit based on information in the permit application and information submitted at the hearing.

Para obtener más información sobre esta solicitud en español, sírvase comunicarse por favor: New Mex-

ica Energy, Minerals and Natural Resources Department (Depto. Energía, Minerías y Recursos Naturales de Nuevo México), Oil Conservation Division (Depto. Conservación Del Petróleo), 1220 South St. Francis Drive, Santa Fe, New Mexico (Contacto: Dorothy Phillips, 505-476-3461)

GIVEN under the Seal of New Mexico Oil Conservation Commission at Santa Fe, New Mexico, on this 20th day of March 2008.

STATE OF NEW MEXICO
 OIL CONSERVATION DIVISION
 SEAL
 Mark Fesmire,
 Director
 Legal#82600
 Pub. April 2, 2008

Jones, Brad A., EMNRD

From: Jones, Brad A., EMNRD
Sent: Thursday, March 27, 2008 7:50 AM
To: Thompson, Bruce C., DGF; Warren, Alvin, DIA; 'ddapr@nmda.nmsu.edu'; 'Linda_Rundell@nm.blm.gov'; 'psisneros@nmag.gov'; 'lsouthard@nmag.gov'; 'r@rthicksconsult.com'; 'sricdon@earthlink.net'; 'nmparks@state.nm.us'; Dantonio, John, OSE; 'sreid@nmoga.org'; Martinez, Elysia, NMENV; 'lazarus@glorietageo.com'; Stone, Marissa, NMENV; 'ron.dutton@xcelenergy.com'; 'cgarcia@fs.fed.us'; 'jbarnett@barnettwater.com'; Kieling, John, NMENV; 'bsg@garbhall.com'; Olson, Bill, NMENV; 'claudette.horn@pnm.com'; 'ekendrick@montand.com'; 'staff@ipanm.org'; Gum, Tim, EMNRD; Bratcher, Mike, EMNRD; Perrin, Charlie, EMNRD; Powell, Brandon, EMNRD
Subject: WQCC Public Notices - Enterprise Products Operating, LP
Attachments: Public Notice for GW49-1_49-2_299_300_267_241.pdf

Ladies and Gentlemen,

The attached public notice(s) is for the following discharge permit(s):

GW-49-1 Enterprise Products Operating, LP - Kutz Hydrocarbon Recovery Facility
GW-49-2 Enterprise Products Operating, LP - Blanco Plant C & D Compressor Station
GW-241 Enterprise Products Operating, LP - Burton Flats North Compressor Station
GW-267 Enterprise Products Operating, LP - Bass James Compressor Station
GW-299 Enterprise Products Operating, LP - Gonzales Mesa Compressor Station
GW-300 Enterprise Products Operating, LP - Reed Canyon Compressor Station

Brad A. Jones

Environmental Engineer

Environmental Bureau

NM Oil Conservation Division

1220 S. St. Francis Drive

Santa Fe, New Mexico 87505

E-mail: brad.a.jones@state.nm.us

Office: (505) 476-3487

Fax: (505) 476-3462



New Mexico Energy, Minerals and Natural Resources Department

Bill Richardson
Governor

Joanna Prukop
Cabinet Secretary
Reese Fullerton
Deputy Cabinet Secretary

Mark Fesmire
Division Director
Oil Conservation Division



March 20, 2008

Mr. Doug Jordan
Enterprise Products Operating LP
P. O. Box 4324
Houston, TX 77210-4324

Re: Discharge Permit Renewal
Kutz Hydrocarbon Recovery Facility (GW-49-1)
S/2, Section 11, Township 29 North, Range 11 West, NMPM,
San Juan County, New Mexico

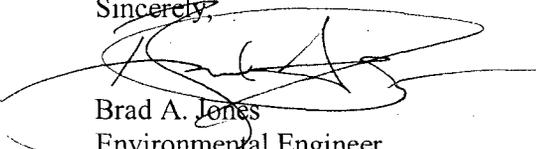
Dear Mr. Jordan

The New Mexico Oil Conservation Division (OCD) has received Enterprise Products Operating, L.P. request dated February 14, 2008, to renew the discharge plan permit GW-49-1 for the Kutz Hydrocarbon Recovery Facility located in the S/2 of Section 11, Township 29 North, Range 11 West, NMPM, San Juan County, New Mexico. The submittal provided the required information in order to deem the application "administratively" complete. The OCD approves the Farmington Times as the newspaper of general circulation for the published notice.

Therefore, the revised (2006) WQCC notice requirements of 20.6.2.3108 NMAC must be satisfied and demonstrated to the OCD. The OCD recommends a draft version of the public notice be provided for a pre-review prior to publishing in the newspaper, in order to ensure all of the required information is provided prior to translation into Spanish and to prevent the expenditure of additional funds to republish the public notice. OCD will provide public notice pursuant to the revised WQCC notice requirements of 20.6.2.3108 NMAC to determine if there is any public interest.

If there are any questions regarding this matter, please do not hesitate to contact me at (505) 476-3487 or brad.a.jones@state.nm.us. On behalf of the staff of the OCD, I wish to thank you and your staff for your cooperation during this discharge permit review.

Sincerely,



Brad A. Jones
Environmental Engineer

BAJ/baj

cc: OCD District III Office, Aztec
Runell A. Seale, Permitting Specialist, EPCO, Inc., Farmington, NM



ACKNOWLEDGEMENT OF RECEIPT
OF CHECK/CASH

I hereby acknowledge receipt of check No. [REDACTED] dated 1/18/08

or cash received on _____ in the amount of \$ 700⁰⁰

from Enterprise Products Operating

for GW-49

Submitted by: Lawrence Romero Date: 2/19/08

Submitted to ASD by: Lawrence Romero Date: 2/19/08

Received in ASD by: _____ Date: _____

Filing Fee _____ New Facility _____ Renewal _____

Modification _____ Other _____

Organization Code 521.07 Applicable FY 2004

To be deposited in the Water Quality Management Fund.

Full Payment _____ or Annual Increment _____

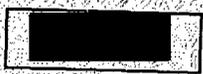
THE FACE OF THIS DOCUMENT CONTAINS SECURITY PRINTING.



ENTERPRISE PRODUCTS OPERATING LLC
P.O. BOX 4324
HOUSTON, TEXAS 77210

JPMORGAN CHASE BANK, N.A.

56-1544/441



DATE

18-JAN-08

PAY EXACTLY

seven Hundred And No/100 Dollars

AMOUNT

\$*****700:00

PAY TO THE
ORDER OF

STATE OF NEW MEXICO
WATER QLTY MGMT FUND
ATTN MS MARTYNE KIELING
NEW MEXICO OIL CONSER DIV
SANTA FE, NM 87505
United States

REGULAR ACCOUNT
VOID AFTER 180 DAYS

W. Randolph Fisher

GW-49



Enterprise Products™

ENTERPRISE PRODUCTS PARTNERS LP
ENTERPRISE PRODUCTS OPERATING LLC

ENTERPRISE PRODUCTS GP, LLC, GENERAL PARTNER
ENTERPRISE PRODUCTS OLPGP, INC., SOLE MANAGER

February 15, 2008

Federal Express
8623 6902 365

New Mexico Oil Conservation Division
Water Quality Management
Attn: Martyne Kieling
1220 South St. Francis Drive
Santa Fe, NM 87505

**RE: Kutz Hydrocarbon Recovery Facility (GW-049) Compressor Station
Enterprise Field Services LLC**

Dear Ms. Kieling: *BRAD JONES*

Enclosed for your review and handling is the referenced Discharge Plan Application. Also enclosed are checks in the amount of \$700.

Should you have questions or need additional information, please contact our Permitting Manager, Mr. Doug Jordan, at 713-880-6629.

Yours truly,

Shiver J. Nolan
Senior Compliance Administrator

/sjn



ENTERPRISE

ENTERPRISE PRODUCTS COMPANY, P.O. BOX 4324 HOUSTON, TEXAS 77210

INVOICE DATE	INVOICE NUMBER	COMMENTS	GROSS DISC.	NET DOLLARS	VENDOR
16-JAN-08	70000JAN08	DISCHARGE PLAN KUTZ HYDROCARBO	0.00	700.00	86292

TOTAL

700.00

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

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

Revised June 10, 2003
Submit Original
Plus 1 Copy
to Santa Fe
1 Copy to Appropriate
District Office

**DISCHARGE PLAN APPLICATION FOR SERVICE COMPANIES, GAS PLANTS,
REFINERIES, COMPRESSOR, GEOTHERMAL FACILITES
AND CRUDE OIL PUMP STATIONS**

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

New Renewal Modification

1. Type: _____ Kutz Hydrocarbon Recovery Facility GW 049-1 _____
2. Operator: _____ Enterprise Products Operating LLC, Operator; Enterprise Field Services LLC, Owner _____
Address: _____ P. O. Box 4324 Houston, TX 77210-4324 _____
Contact Person: _____ Mr. Doug Jordan _____ Phone: _____ 713-880-6629 _____
3. Location: _____ South/2 _____ /4 Section _____ 11 _____ Township _____ 29N _____ Range _____ 11W _____
Submit large scale topographic map showing exact location.
4. Attach the name, telephone number and address of the landowner of the facility site.
5. Attach the description of the facility with a diagram indicating location of fences, pits, dikes and tanks on the facility.
6. Attach a description of all materials stored or used at the facility.
7. Attach a description of present sources of effluent and waste solids. Average quality and daily volume of waste water must be included.
8. Attach a description of current liquid and solid waste collection/treatment/disposal procedures.
9. Attach a description of proposed modifications to existing collection/treatment/disposal systems.
10. Attach a routine inspection and maintenance plan to ensure permit compliance.
11. Attach a contingency plan for reporting and clean-up of spills or releases.
12. Attach geological/hydrological information for the facility. Depth to and quality of ground water must be included.
13. Attach a facility closure plan, and other information as is necessary to demonstrate compliance with any other OCD rules, regulations and/or orders.

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

Name: _____ Terry L. Hurlburt _____ Title: _____ Sr. Vice President, Operations _____

Signature: _____ Date: _____

E-mail

Address: _____ snolan@eprod.com _____

*snolan
8/14/03*

**Renewal: Discharge Plan – GW 49-1
Kutz Hydrocarbon Recovery Facility
S ½, Section 11, Township 29 North, Range 11 West
San Juan County, NM**

**ENTERPRISE Field Services LLC, Owner
Operated by ENTERPRISE Products Operating LLC**

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Kutz Hydrocarbon Recovery Facility

1. Type of Operation

The Kutz Hydrocarbon Recovery Facility is a site where the contents from sumps and compressor skids at various sites in the field (water and oil) are separated and then removed for disposal. There is also a collection tank for interim storage of used lube oil from various compressor sites prior to recycling. There are no intentional liquid discharges from this facility.

2. Operator/Legally Responsible Party

Legally Responsible Party: Mr. Terry Hurlburt
Enterprise Products Operating LLC
P. O. Box 4324
Houston, TX 77210-4324
713.880.6595

Environmental Scientist: Mr. Donald Fernald
614 Reilly Ave.
Farmington, NM 87402
505.599.2141

Operations Director: Mr. Jose Velasquez
3621 Main Street
Farmington, NM 87402
505.599.3243

3. Location of Facility

The Kutz Hydrocarbon Recovery Station is located in the South ½ of Section 11, Township 29 North, Range 11 West, in San Juan County, New Mexico, approximately 2 miles north and 1 mile east of Bloomfield, New Mexico. No physical address is assigned to this facility.

Directions to facility: From the intersection of U.S. Highway 64 and U.S. Highway 550 in Bloomfield, New Mexico, go north on U.S. Highway 550 approximately 2 miles. Turn east on County Road 4900. Go east approximately one mile. Turn north and travel approximately ½-mile on an unnamed dirt road. GPS: Latitude N 36, 44.096 Longitude: W 107, 57.547. A site location map is attached (USGS 7.5 Minute Quadrangle: Bloomfield, New Mexico) as Figure 1.

4. Landowner

ENTERPRISE Products Operating, LLC
P. O. Box 4324
Houston, TX 77210-4324
713.880.6595

5. Facility Description

This facility is classified as a hydrocarbon recovery facility and is unmanned. The major equipment consists of two direct fired heater/separators, 10 aboveground storage tanks (ASTs), and two lined evaporation ponds. In addition, there are various support structures and ancillary equipment. Currently, only two storage tanks are in use. Records related to the facility operations are maintained at central office locations. A site facility map (plot plan) is attached as Figure 2.

Kutz Hydrocarbon Recovery Facility

6. Material Stored or Used at the Facility

Materials that are used at the facility are listed in Table 1.

Table 1
MATERIAL STORED OR USED AT FACILITY
KUTZ HYDROCARBON RECOVERY FACILITY

Tank Contents	Solid or Liquid	Tank Capacity-Max Volume Stored	Location
Incoming water/hydrocarbon mixture	Liquid	300-bbl storage tank	North end of facility
Used Lube Oil	Liquid	100-bbl storage tank	North end of facility

7. Source, Quantity, & Quality of Potential Effluent* and Waste Solids Located at the Facility

Wastes generated at this facility are listed in Table 2.

*Potential effluent included unplanned release of these liquids to the ground surface that could potentially impact surface or ground water.

Table 2
Source, Quantity, and Quality of Effluent and Waste Solids
Kutz Hydrocarbon Recovery Facility

7A. Source & Quantity

Process Fluid/Waste	Source	Quantity (Ranges)	Additives
Non-hazardous Industrial Wastewater	Incoming from compressor sites	10 bbl/month	None
Used Lube Oil	Incoming from compressor sites	<5 bbl/month	None

7B. Quality Characteristics

Process Fluid/Waste	RCRA STATUS	Analytical Process	Toxic Pollutants
Non-hazardous Industrial Wastewater	Non-exempt Non-hazardous	Not required, disposed	None
Used Lube Oil	Non-exempt	Not required, Recycled	None

7C. Commingled Waste Streams

There are no commingled waste streams at this facility.

8. Current Liquid and Solid Waste Collection/Storage/Disposal Procedures

Waste management will be conducted as outlined in Table 3.

No hydrostatic testing is conducted at this facility as the on-site piping system is no longer in use.

The name and address of all waste handling facilities is attached as Appendix A. All tanks and chemical storage areas are designed to contain at minimum a volume of 33% greater than the total volume stored. In the event of interconnected tanks, volume of the containment will be 33% greater than the combined volume of the tanks.

Table 3
Transfer, Storage, and Disposal of Process Fluids, Effluents, and Waste Solids
KUTZ HYDROCARBON RECOVERY FACILITY

<u>PROCESS FLUID/WASTE</u>	<u>COLLECTION & STORAGE SYSTEM</u>	<u>CONTAINER CAPACITY/ DESCRIPTION</u>	<u>RCRA STATUS</u>	<u>DESCRIPTION OF FINAL DISPOSITION</u>
Non-hazardous Industrial Wastewater	Storage tank	300 bbl	Non-exempt Non-hazardous	Transported by Key Energy to Key Four Corners Inc disposal facility on CR 350
Used Lube Oil	Storage tank	100 bbl	Non-exempt	Transported by Mesa Oil to Belen, NM for recycling

9. Proposed Modifications

In the future the unused storage tanks and direct fired heater/separators will be removed.

10. Inspection, Maintenance & Reporting

Operator and/or contract personnel operate and maintain the equipment at the facility. The facility is unmanned. Inspections of the storage tanks are performed monthly. Any evidence of spills/leaks is routinely reported to supervisory personnel, and a facility technician will be on call 24 hours per day, 7 days per week, 52 weeks per year.

Storm water controls at this facility include steel rings with liners for secondary containment of recovered oil and wastewater for the active tanks. The tanks are routinely inspected to ensure proper maintenance.

Following are the best management practices (BMPs) that are used to prevent or mitigate pollution to storm water from facility operations:

- All waste materials and debris will be properly disposed of on an ongoing basis in appropriate containers and locations for collection and remove from the site.
- Temporary storage of potential pollutant sources will be located in areas with appropriate controls for storm water protection. This would include ensuring all containers are sealed/covered and otherwise protected from contact with precipitation.
- Periodic inspection of channels and culverts shall be performed at least twice annually and after any major precipitation event.
- Sediment deposits and debris will be removed from the channels and culverts as necessary and any erosion damage at the outfall (if any) will be repaired or controlled.
- Conduct inspections of the facility on a regular basis as part of the preventive maintenance site check. Such inspections will include the visual assessment of corroded or damaged drums and tanks, broken or breached containment structures, collapsed or clogged drainages or drain lines.

11. Spill / Leak Prevention and Reporting (Contingency Plans)

Spills/Leaks could occur from various storage tanks. Spill containment berms around above ground storage tanks are designed to contain 1-1/3 times the volume of the tank or the combined volume of interconnected tanks. The below grade sump is constructed with a means of leak detection and is located within secondary containment. The evaporation ponds are constructed with a means of leak detection. The facility meets requirements for CFR 40 Part 112 (SPCC).

In the event of a release, facility personnel determine the extent of the problem, and the source will be immediately contained. They will report the release to the Operator's Environmental Department. The Environmental Department then determines reportable quantity and reports the release to the appropriate agencies as required by statutes/regulations. Records of spills, leaks, or other pollutant discharges, if any, and inspections and maintenance activities will be maintained by the Operator for least one year.

Spills and leaks of reportable quantity are reported to the NMOCD pursuant to NMOCD Rule 116 and WQCC Section 1203 using the NMOCD form C141 and/or verbal notification, see Appendix B for specific reporting guidelines and contact numbers. Spill contingency and remediation plans are listed in Appendix C.

Kutz Hydrocarbon Recovery Facility

12. Site Characteristics

The Kutz Hydrocarbon Recovery Facility is located approximately 2 miles north and 1 mile east of Bloomfield, New Mexico. The site elevation is approximately 5,645 feet above mean sea level. The natural ground surface topography slopes downward toward the south. The maximum relief over the site is less than 20 feet.

Intermittent flow from the site will travel south towards the Citizens Ditch approximately ½-mile south of the site. Citizens Ditch meets Bloomfield Canyon approximately 1 ¼-miles to the east. Bloomfield Canyon West Fork empties into the San Juan River approximately two miles to the south. The San Juan River, at approximately 5,460 feet in elevation, is the nearest down-gradient perennial source of surface water to the site.

A review of the available hydrologic data for this area from the State Engineers Office revealed that there are 14 domestic water wells within Section 14 and two in Section 11. One well is within a ¼-mile radius of the Kutz Hydrocarbon Station. This well is located sidegradient from the facility and is unlikely to be affected by on-site activities. A report of these wells is attached as Appendix D. The Nacimiento Formation and the Ojo Alamo Sandstone are the water-bearing units underlying the site. These formations are comprised of intertongued shale and sandstone. Groundwater depth at the site is estimated to be 15 to 50 feet below the surface based on reports over a 25-year period. The total dissolved solids concentration of area ground water is anticipated to be between 300 and 500 parts per million.

The 100-year 24-hr precipitation event at the regional weather station is 2.6 inches. This small amount of rainfall for the area should pose no flood hazards. Vegetation in the area consists predominantly of sagebrush and native grasses. See attached FEMA Map, Appendix E.

Flood Protection: Surface water runoff from the area surrounding the site is diverted around the facility into the natural drainage path.

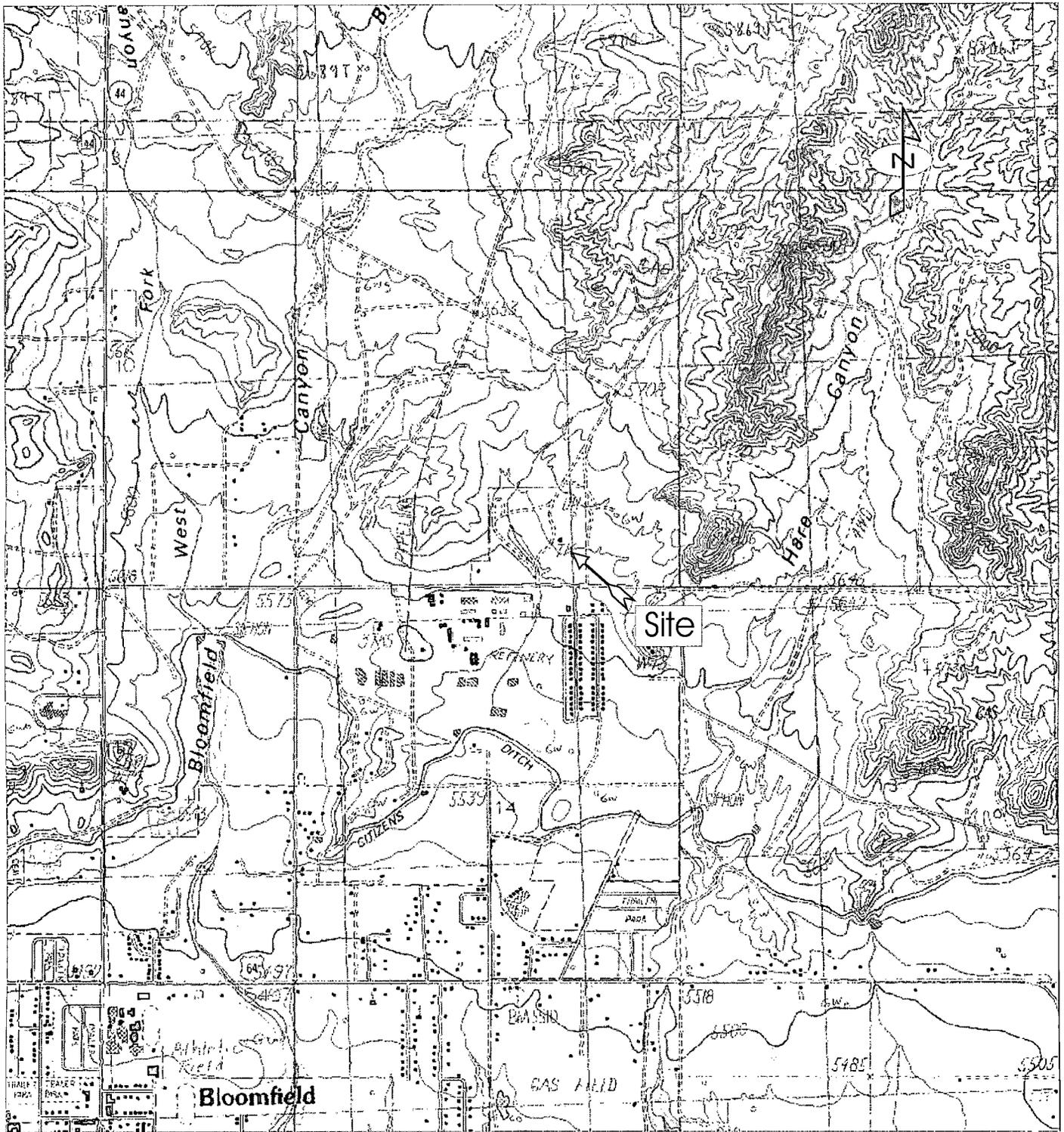
13. Facility Closure Plan

Should Operator choose to permanently close the facility a closure plan will be submitted in accordance with provisions of WQCC Section 3107.A.11. Operator will submit the detailed closure plan to the NMOCD prior to closure. All reasonable and necessary measures will be taken to prevent the exceedance of WQCC Section 3103 water quality standards.

Generally, closure measures will include removal or closure in place of underground piping, all above and below ground tanks and other equipment. All wastes will be removed from the site and properly disposed of in accordance with the rules and regulations in place at the time of closure. When all fluids, contaminants, and equipment have been removed from the site, the site will be graded as close to the original contour as possible and seeded.

Should contaminated soil be discovered, any necessary reporting under NMOCD Rule 116 and WQCC Section 1203 will be made and clean-up activities will commence. Post-closure maintenance and monitoring plans would not be necessary unless contamination is encountered.

FIGURE 1 – Site Vicinity/ Topographic Map



Source: Bloomfield, New Mexico, 7.5-Minute U.S.G.S. Topographic Quadrangle Map
 Scale: 1:24,000 1" = 2000'

Kutz Hydrocarbon Recovery Station
 Section 11, T29N, R11W
 Bloomfield, New Mexico

ENVIROTECH INC.

ENVIRONMENTAL SCIENTISTS & ENGINEERS

5796 U.S. HIGHWAY 64

FARMINGTON, NEW MEXICO 87401

PHONE (505) 632-0615

Vicinity Map

Figure 1

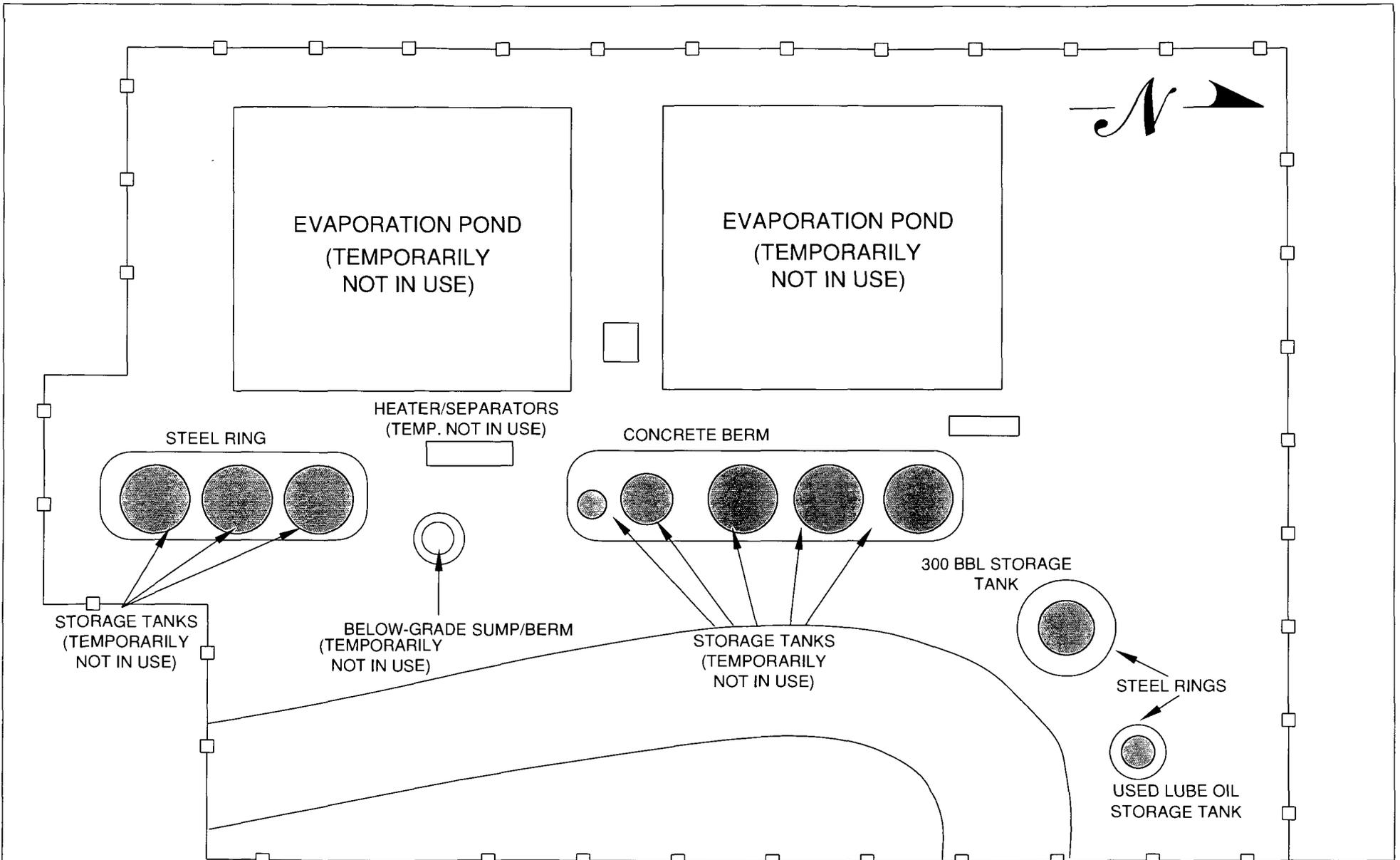
PROJECT No 97057-216

Date Drawn: 01/22/08

DRAWN BY:
 Juli Thompson

PROJECT MANAGER:
 Kyle P. Kerr

FIGURE 2 – Site Plot Plan



KUTZ HYDROCARBON
RECOVERY STATION
BLOOMFIELD, NEW MEXICO

ENVIROTECH INC.

SITE MAP

DRAWING NOT TO SCALE

REVISIONS
BY TKI DATE 02/11/08
BY JT DATE 01/24/08

PRJ #97057-216

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

DRAWN BY JT DATE 01/29/08
APPROVED BY KPK DATE 01/29/08

FIGURE
2

APPENDIX A – Disposal of Waste Streams

Waste Disposal Stream
Kutz Hydrocarbon Recovery Station

Material	Transporter	Final Disposal
Industrial Wastewater	Key Energy	Key Energy: 345 County Road 350, Aztec, New Mexico
Used Lube Oil	Mesa Oil	Mesa Oil, 20 Lucero Road, Belen, New Mexico

APPENDIX B – Release Reporting Procedure/NMOCD Notification Procedure

**New Mexico Oil Conservation Division
Release/Spill Reporting Numbers
Kutz Hydrocarbon Recovery Facility**

District 3: Rio Arriba County, San Juan County,

505.334.6178 Main Office

116 RELEASE NOTIFICATION AND CORRECTIVE ACTION [1-1-50...2-1-96; A, 3-15-97]

116.A. NOTIFICATION

(1) The Division shall be notified of any unauthorized release occurring during the drilling, producing, storing, disposing, injecting, transporting, servicing or processing of crude oil, natural gases, produced water, condensate or oil field waste including Regulated NORM, or other oil field related chemicals, contaminants or mixture thereof, in the State of New Mexico in accordance with the requirements of this Rule. [1-1-50...2-1-96; A, 3-15-97]

(2) The Division shall be notified in accordance with this Rule with respect to any release from any facility of oil or other water contaminant, in such quantity as may with reasonable probability be detrimental to water or cause an exceedance of the standards in 19 NMAC 15.A.19. B(1), B(2) or B(3). [3-15-97]

116.B. REPORTING REQUIREMENTS: Notification of the above releases shall be made by the person operating or controlling either the release or the location of the release in accordance with the following requirements: [5-22-73...2-1-96; A, 3-15-97]

(1) A **Major Release** shall be reported by giving **both** immediate verbal notice and timely written notice pursuant to Paragraphs C(1) and C(2) of this Rule. A Major Release is:

- (a) an unauthorized release of a volume, excluding natural gases, in excess of 25 barrels;
- (b) an unauthorized release of any volume which:
 - (i) results in a fire;
 - (ii) will reach a water course;
 - (iii) may with reasonable probability endanger public health; or
 - (iv) results in substantial damage to property or the environment;
- (c) an unauthorized release of natural gases in excess of 500 mcf; or
- (d) a release of any volume which may with reasonable probability be detrimental to water or cause an exceedance of the standards in 19 NMAC 15.A.19. B(1), B(2) or B(3). [3/15/97]

(2) A **Minor Release** shall be reported by giving timely written notice pursuant to Paragraph C(2) of this Rule. A Minor Release is an unauthorized release of a volume, greater than 5 barrels but not more than 25 barrels; or greater than 50 mcf but less than 500 mcf of natural gases. [3-15-97]

116.C. CONTENTS OF NOTIFICATION

(1) **Immediate verbal notification** required pursuant to Paragraph B shall be reported within twenty-four (24) hours of discovery to the Division District Office for the area within which the release takes place. In addition, immediate verbal notification pursuant to Subparagraph B.(1).(d). shall be reported to the Division's Environmental Bureau Chief. This notification shall provide the information required on Division Form C-141. [5-22-73 . 2-1-96; A, 3-15-97]

(2) **Timely written notification** is required to be reported pursuant to Paragraph B within fifteen (15) days to the Division District Office for the area within which the release takes place by completing and filing Division Form C-141. In addition, timely written notification required pursuant to Subparagraph B.(1).(d). shall also be reported to the Division's Environmental Bureau Chief within fifteen (15) days after the release is discovered. The written notification shall verify the prior verbal notification and provide any appropriate additions or corrections to the information contained in the prior verbal notification. [5-22-73...2-1-96; A, 3-15-97]

116.D. CORRECTIVE ACTION: The responsible person must complete Division approved corrective action for releases which endanger public health or the environment. Releases will be addressed in accordance with a remediation plan submitted to and approved by the Division or with an abatement plan submitted in accordance with Rule 19 (19 NMAC 15.A. 19). [3-15-97]

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

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

Form C-141
Revised October 10, 2003
Submit 2 Copies to appropriate
District Office in accordance
with Rule 116 on back
side of form

Release Notification and Corrective Action

OPERATOR

Initial Report Final Report

Name of Company		Contact	
Address		Telephone No.	
Facility Name		Facility Type	
Surface Owner	Mineral Owner	Lease No.	

LOCATION OF RELEASE

Unit Letter	Section	Township	Range	Feet from the	North/South Line	Feet from the	East/West Line	County

Latitude _____ Longitude _____

NATURE OF RELEASE

Type of Release	Volume of Release	Volume Recovered
Source of Release	Date and Hour of Occurrence	Date and Hour of Discovery
Was Immediate Notice Given? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Required	If YES, To Whom?	
By Whom?	Date and Hour	
Was a Watercourse Reached? <input type="checkbox"/> Yes <input type="checkbox"/> No	If YES, Volume Impacting the Watercourse.	
If a Watercourse was impacted, Describe Fully.*		
Describe Cause of Problem and Remedial Action Taken.*		
Describe Area Affected and Cleanup Action Taken.*		
I hereby certify that the information given above is true and complete to the best of my knowledge and understand that pursuant to NMOCD rules and regulations all operators are required to report and/or file certain release notifications and perform corrective actions for releases which may endanger public health or the environment. The acceptance of a C-141 report by the NMOCD marked as "Final Report" does not relieve the operator of liability should their operations have failed to adequately investigate and remediate contamination that pose a threat to ground water, surface water, human health or the environment. In addition, NMOCD acceptance of a C-141 report does not relieve the operator of responsibility for compliance with any other federal, state, or local laws and/or regulations.		
Signature:		OIL CONSERVATION DIVISION
Printed Name:		Approved by District Supervisor:
Title:	Approval Date:	Expiration Date:
E-mail Address:	Conditions of Approval:	
Date:	Phone:	Attached <input type="checkbox"/>

* Attach Additional Sheets If Necessary

APPENDIX C – Spill Contingency Plan/Remediation Plan

TECHNIQUES FOR CONTROLLING OIL DISCHARGES (LAND & WATER)

Purpose

- A. In spite of precautions taken, oil discharges can occur. Since the location and magnitude of discharges can vary so greatly, this section was written to furnish general guidelines and usable techniques for containment of cleanup operations.

II. Countermeasures

- A. Upon discovery of an accidental discharge the first action taken should be the safeguard of life and property. The next step would be to find the source of discharge and stop additional loss of fluid.
 - 1. **Controllable Discharge:** In most cases the amount of fluid being discharged is small and operations can be shut down to relieve power oil line or flowline pressure while installing a saddle clamp. The same is true when a valve is left open or tanks overflow. If possible the oil should be transferred into another storage tank or holding tank.
 - 2. **Catastrophic Discharge:** The most damaging type of discharge usually occurs when a large volume of oil is lost in a short period of time. This is usually caused by ruptured tanks, equipment failure, or flowline breaks. In such cases the containment equipment and manpower should be concentrated well below the leading edge of the discharged oil. This will insure ample time for installation of containment dikes, dams and equipment.
 - 3. **Flammability:** If discharged material is flammable and is located in a congested area, the local Fire and Police Departments should be notified immediately. They in turn can initiate proper evacuation measures.

III. Containment & Removal

- A. Fast action to contain the discharged fluid is of the utmost importance. It not only reduces the size of the area affected, it also reduces the cost of cleanup operations. The successful handling of any oil discharge depends on four different operations:
 - 1) containment
 - 2) removal
 - 3) disposal
 - 4) cleanup.

IV. Mobilization

- A. The availability of equipment, material and labor is very important. Depending on the terrain and size of the discharge the following equipment may be needed; dozers, backhoe, tanks or vacuum truck, pumps, hose, booms, fencing, sorbent materials, portable light plant, small boat, rubber boots, hand tools, communication system, etc.

V. Discharges On Land

- A. Oil spills can come from many sources, however, the most common cause is power oil line or flowline leaks. The first rule for a land spill is, as always, containment. Confine the oil to the smallest area possible to reduce land damage and cleanup operations. In most areas, an earthen dam or dike can be constructed in the drainage flow to catch the oil. This will hold the oil for pick up by vacuum trucks. If groundwater (rain) is a problem, a retention pit can be dug with diversion ditches cut so that all spilled fluids drain into the pit. Vacuum trucks can then pick up the collected fluid. It may be necessary to install a siphon in the pit or dam if rainwater is a problem. A second dam or dike should always be maintained further down the drainage flow from where the oil is contained. If it becomes necessary to use this secondary dam, then immediately construct another further down the drainage flow.

VI. Containment of Discharges Into Water

- A. The first priority is to limit the spread of oil to the smallest possible area.
- B. Floating Boom Development: Depending on water currents, a boom can be an effective means of controlling the spread of oil on water. Different conditions require the boom to be placed in certain configurations to utilize their containment potential. Generally, where river or water currents exceed 3 feet per second, containment is hindered. The oil will be forced under the barrier if the boom is placed perpendicular to the direction of water flow. Floating booms should be placed in such a way as to divert the oil to a calm area where removal may be accomplished. The types of boom development techniques commonly used are outlined in the following descriptions and diagrams:
 1. Oil can be controlled along the shoreline adjacent to the point of discharge by tying one end of the boom to the shore and towing the loose end around the edge of the slick by boat or hand. Sorbent materials can then be placed in the slick, and removed by hand tools along the shoreline. Large spills can be removed by vacuum pump or by towing the boom and encircled oil to a location where a skimming operation can be accomplished. This type of development is shown in the upper portion of Figure D-1.
 2. The lower portion of Figure D-1 depicts an open lake with the slick located offshore. The boom is anchored at one end and towed around the slick to completely encircle the oil. The oil can then be removed with sorbent materials.

3. In a fast flowing stream (over 3 feet/second), the boom must be deployed to divert the oil into a calmer area for the removal operation. If the stream is narrow, the boom may be tied to one bank and stretched across the stream in a configuration similar to that shown in the upper portion of Figure D-2. Best results will be accomplished when the boom is deployed at an angle less than 20° to the direction of flow.
4. The lower portion of Figure D-2 depicts a wide fast flowing river where the boom will not reach across the river. The current would wash the oil under the barrier if the boom was placed perpendicular to the water flow. A boom configuration must be employed which diverts the oil into a calm area for oil removal. The boom is tied to the shoreline at one end and attached to a mooring line at the other end to maintain the proper configuration to herd the oil. The boom should be placed at an angle less than 20° to the direction of flow.
5. In order to avoid loss of oil under a boom due to delays in removing the oil or to recover lesser amounts over a longer period of time (overnight), the construction of a skimming pond can be used. This technique is shown in Figure D-3. The use of several booms in conjunction with a skimming pond at the stream edge is also shown in Figure D-3.

C. **Expedient Booms:** Described below are simple booms that can be constructed with materials available from local sources.

1. Tie several bales of straw or hay (end to end) with steel wire. This acts as a sorbent boom. If you want to use it as a containment-type boom, just cover the bales with polyethylene sheets. The boom is attached to a cable and deployed across the stream. Figure D-4 describes this boom.
2. Logs or similar material can also be fastened together (end to end) and deployed across the water channel. Oil, however, passes more easily under this type barrier. This can be remedied by scattering floating sorbent materials in front of the barrier to help contain the oil. The barrier should also be placed at a sharper angle (10°) to the direction of flow.
3. **Filter Fences:** Filter fences can be used to control oil in ditches and streams where, generally, the water depth is four feet or less. This type containment is very useful since it uses materials available in more areas at a minimal cost. This fence can be constructed with chicken or hog wire or chain link fence. Steel or wooden posts can be used for support and hay or straw used for the filter. Posts are driven into the stream bed 8-10 feet apart and set at an angle to current flow. The wire fencing is then tied to the post, always allowing at least one foot freeboard (wire above water level). Then anchor the fence to each bank of the stream. The straw or hay is broken out of the bales and spread over the water, the full width of the fence, for 15 to 20 feet back upstream. The depth of the straw or hay should be a minimum of 6 inches thick. In most cases there should be a series of these filter fences constructed leaving adequate working space between fences. These fences should always be continually maintained so the saturated straw or hay can be replaced as needed (Figure D-4).

- D. **Flow Construction:** It may be possible, where water flow volume is low, terrain permits, and sufficient time is available, to construct a catch basin in the stream channel or divert the water into holding ponds. This allows removal of oil by skimmer, vacuum trucks, etc.
1. **Siphon Dam:** Figure D-5 illustrates two types of temporary catch basin construction using submerged pipe openings to carry water past the surface barrier which, in turn, retains the floating oil. Care should be taken in selection of pipe diameter or number of pipes used to insure adequate discharge to prevent the dike from overflowing by trapped water.

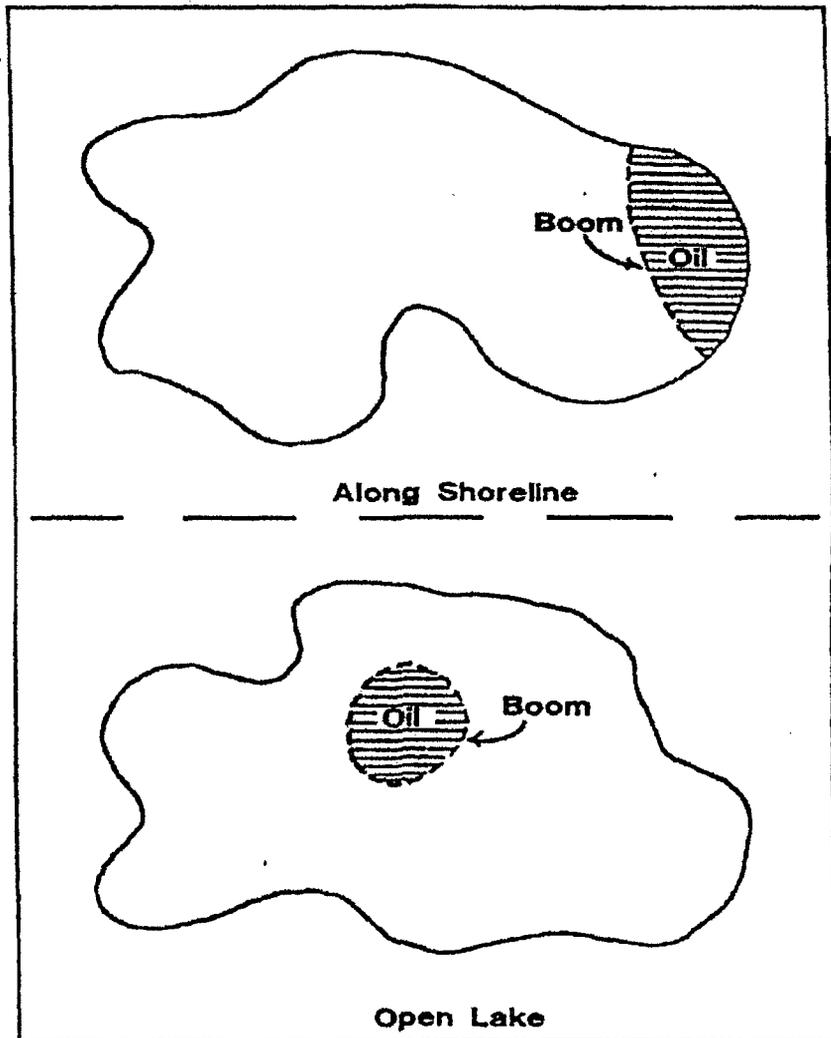


Figure D-1. Boom Deployment In Lakes.

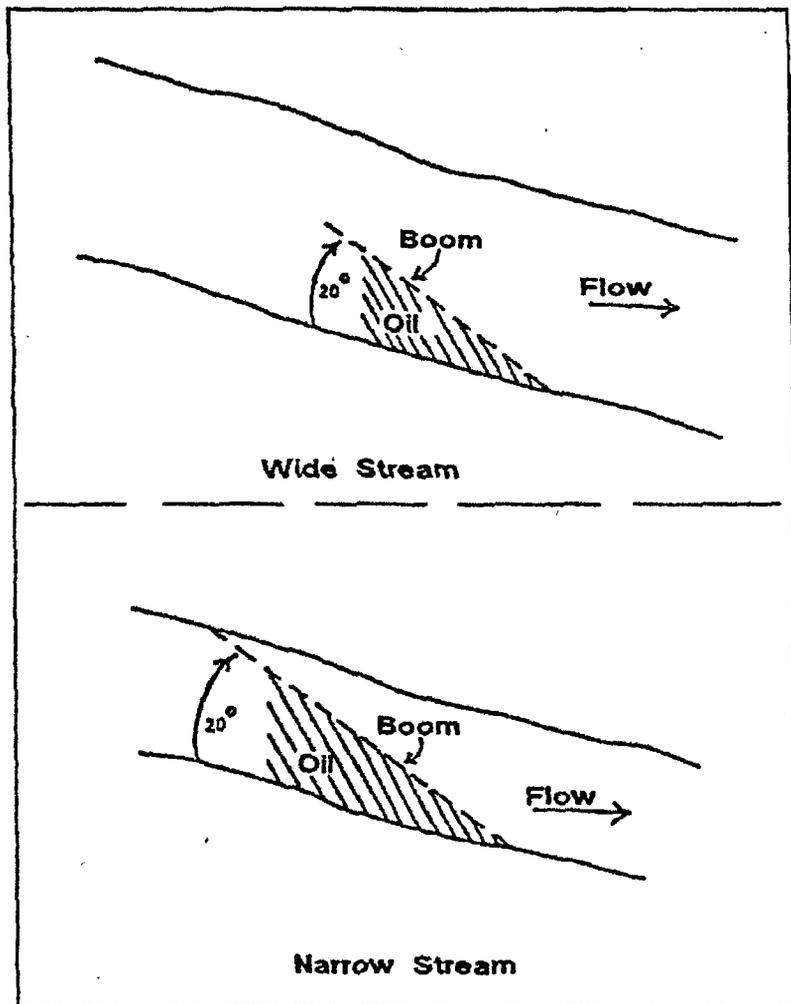


Figure D-2. Boom Deployment in Fast-Flowing Stream.

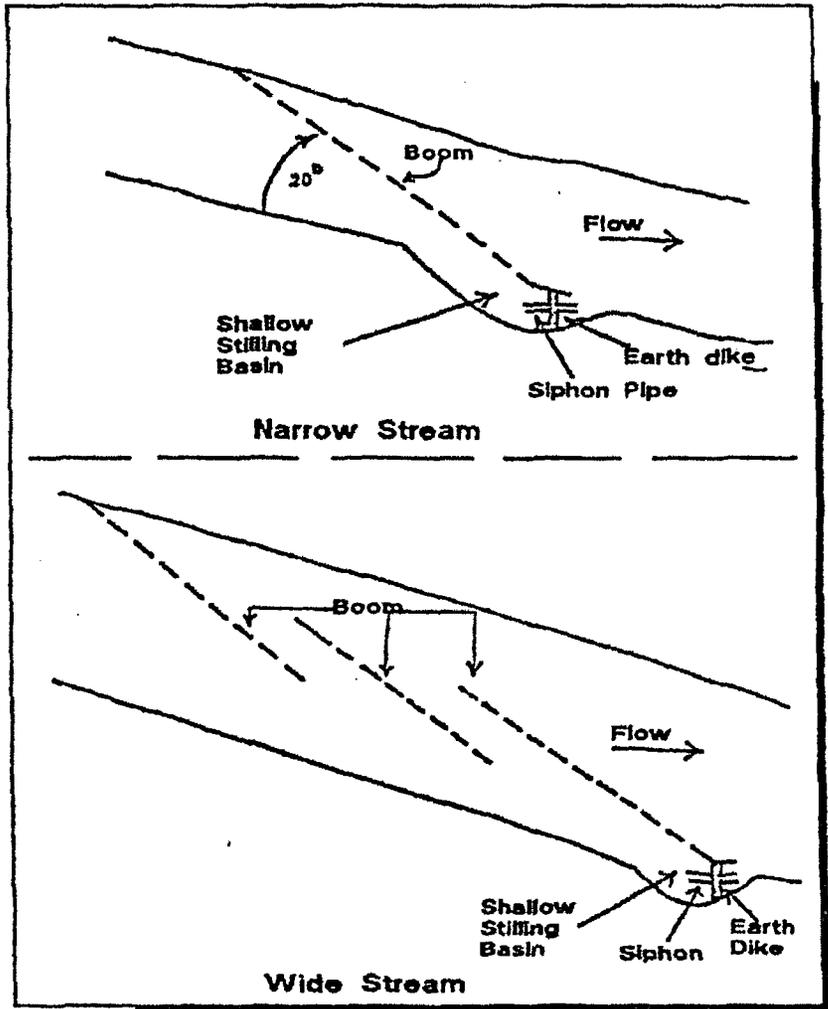


Figure D-3. Boom Deployment in Fast-Flowing Stream - Alternate Method.

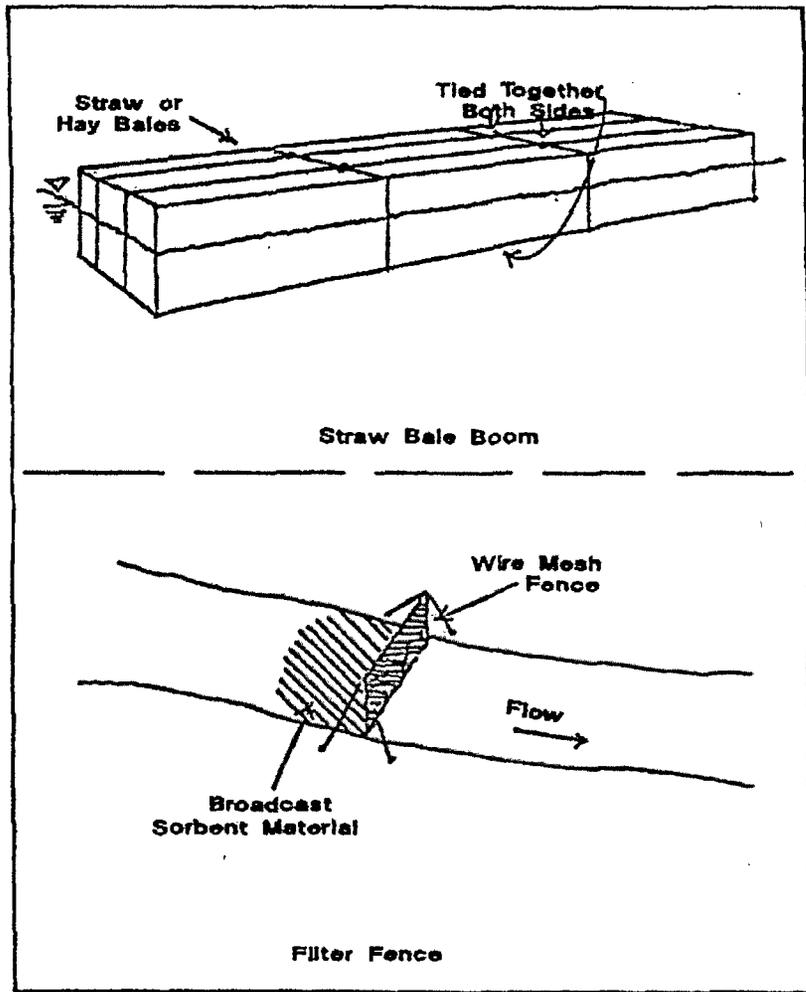


Figure D-4. Expedient Boom and Filter Fence.

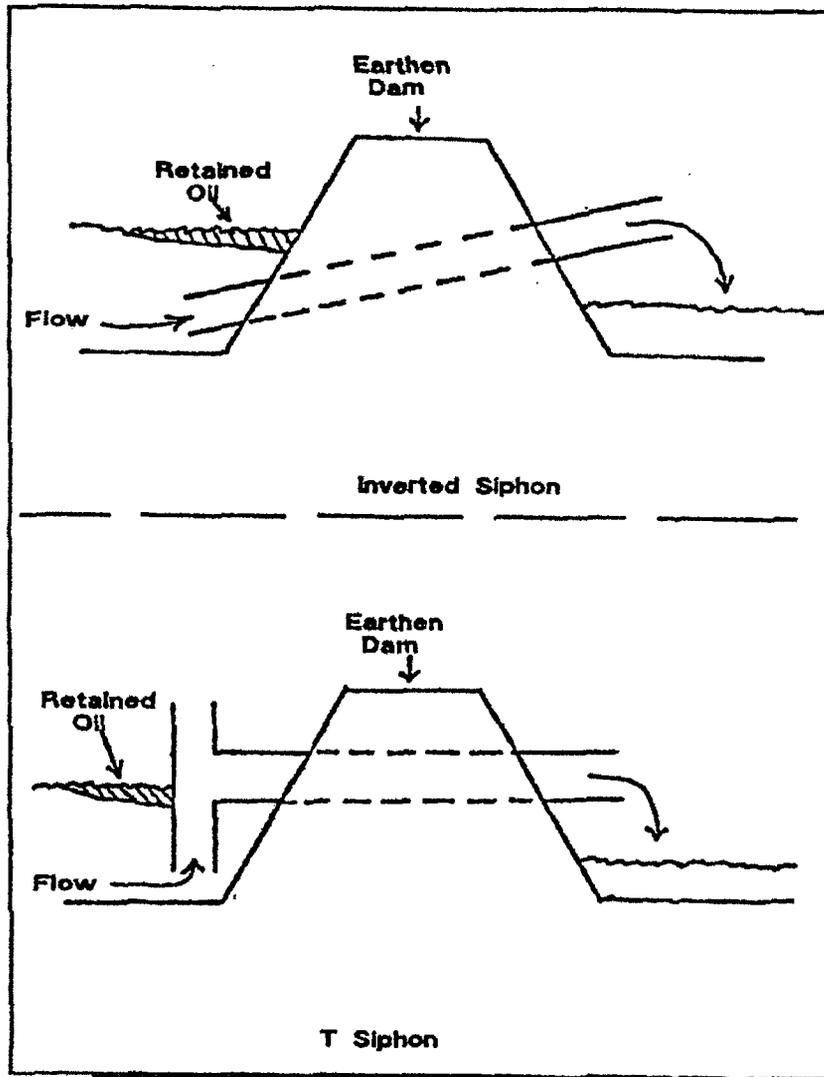


Figure D-5. Earthen Dam Construction.

VII. Removal of Oil From Water

- A. Ideally, oil removal will be a two-stage operation. The first step is to consolidate the oil slick as much as possible. The greater oil thickness allows more efficient use of skimming equipment. Oil recovered by this process can often be placed back into the production system and thus recovered. The second stage is to remove the remaining skim of oil. This is done by covering the slick with floating sorbent materials and retrieving the saturated materials by hand labor.
- B. Practically, oil is diverted to the most suitable or accessible point where removal equipment can be located. Wind and water currents can be used to help float the oil into pockets for removal. However, wind and water currents can also hinder the operation. Always be aware of these two factors.

VIII. Treating Agents

- A. Oil spill treating agents are generally classified as dispersants, collecting agents, sinking agents, burning agents, or gelling agents.
- B. Chemical agents are not allowed to be used without prior approval of the EPA
- C. Enterprise does not keep these chemical agents on hand and does not intend for them to be used on any oil spill unless approval is received from the appropriate regulatory agency, and even then only with prior management approval.

IX. Final Cleanup

- A. The final cleanup phase is to remove the oil stains on banks and vegetation bordering the spill area. The remaining contamination can be picked up by heavy equipment and removed to a disposal site.
- B. In order to protect the shoreline it may be necessary to strip the oil from vegetation by hand or flush with water into a holding pond.

X. Disposal of Oil and Sorbent Materials

- A. The Enterprise President or Operations Manager will determine what samples need to be taken and will evaluate what disposal options are best for the particular site.

GUIDELINES

FOR

REMEDIATION

OF

LEAKS, SPILLS AND RELEASES

(AUGUST 13, 1993)

New Mexico Oil Conservation Division
1220 S. ST. FRANCIS DR.
Santa Fe, New Mexico 87505

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INTRODUCTION

The following document is to be used as a **guide** on all federal, state and fee lands when remediating contaminants resulting from leaks, spills and releases of oilfield wastes or products. The New Mexico Oil Conservation Division (OCD) requires that corrective actions be taken for leaks, spills or releases of any material which has a reasonable probability to injure or be detrimental to public health, fresh waters, animal or plant life, or property or unreasonably interfere with the public welfare or use of the property. These guidelines are intended to provide direction for remediation of soils and fresh waters contaminated as a result of leaks, spills or releases of oilfield wastes and products in a manner that assures protection of fresh waters, public health and the environment.

Fresh waters (to be protected) includes the water in lakes, playas, surface waters of all streams regardless of the quality of the water within any given reach, and all underground waters containing 10,000 milligrams per liter (mg/l) or less of total dissolved solids (TDS) except for which, after notice and hearing, it is found that there is no present or reasonably foreseeable beneficial use which would be impaired by contamination of such waters. The water in lakes and playas shall be protected from contamination even though it may contain more than 10,000 mg/l of TDS unless it can be shown that hydrologically connected fresh ground water will not be adversely affected.

Procedures may deviate from the following guidelines if it can be shown that the proposed procedure will either remediate, remove, isolate or control contaminants in such a manner that fresh waters, public health and the environment will not be impacted. Specific constituents and/or requirements for soil and ground water analysis and/or remediation may vary depending on site specific conditions. Deviations from approved plans will require OCD notification and approval.

****** Note: Notification to OCD of leaks, spills and releases does not relieve an operator of responsibility for compliance with any other federal, state or local law and/or regulation regarding the incident. Other agencies (ie. BLM, Indian Tribes, etc) may also have guidelines or requirements for remediation of leaks spills and releases.**

I. NOTIFICATION OF LEAK, SPILL OR RELEASE

Leaks, spills and releases of any wastes or products from oilfield operations are required to be reported to the OCD pursuant to OCD Rule 116 (Appendix A) or New Mexico Water Quality Control Commission (WQCC) Regulation 1-203 (Appendix B). Appendix C contains the phone numbers and addresses for reporting incidents to the OCD district and Santa Fe offices. Notification will include all information required under the respective rule or regulation. Below is a description of some of the information required:

A. RESPONSIBLE PARTY AND LOCAL CONTACT

The name, address and telephone number of the person/persons in charge of the facility/operation as well as the owner and/or operator of the facility/operation and a local contact.

B. FACILITY

The name and address of the facility or operation where the incident took place and the legal location listed by quarter-quarter, section, township and range, and by distance and direction from the nearest town or prominent landmark so that the exact site location can be readily located on the ground.

C. TIME OF INCIDENT

The date, time and duration of the incident.

D. DISCHARGE EVENT

A description of the source and cause of the incident.

E. TYPE OF DISCHARGE

A description of the nature or type of discharge. If the material leaked, spilled or released is anything other than crude oil, condensate or produced water include its chemical composition and physical characteristics.

F. QUANTITY

The known or estimated volume of the discharge.

G. SITE CHARACTERISTICS

The relevant general conditions prevailing at the site including precipitation, wind conditions, temperature, soil type, distance to nearest residence and population centers and proximity of fresh water wells or watercourse (ie. any river, lake, stream, playa, arroyo, draw, wash, gully or natural or man-made channel through which water flows or has flowed).

H. IMMEDIATE CORRECTIVE ACTIONS

Any initial response actions taken to mitigate immediate threats to fresh waters, public health and the environment.

II. INITIAL RESPONSE ACTIONS

Upon learning of a leak, spill or release of any material which has a reasonable probability to injure or be detrimental to public health, fresh waters, animal or plant life, or property or unreasonably interfere with the public welfare or use of the property, the responsible party (RP) should take the following immediate actions unless the actions could create a safety hazard which would result in a threat to personal or public injury:

A. SOURCE ELIMINATION AND SITE SECURITY

The RP should take the appropriate measures to stop the source of the leak, spill or release and limit access to the site as necessary to reduce the possibility of public exposure.

B. CONTAINMENT

Once the site is secure, the RP should take steps to contain the materials leaked, spilled or released by construction of berms or dikes, the use of absorbent pads or other containment actions to limit the area impacted by the event and prevent potential fresh water contaminants from migrating to watercourses or areas which could pose a threat to public health and safety.

C. SITE STABILIZATION

After containment, the RP should recover any products or wastes which can be physically removed from the surface within the containment area. The disposition of all wastes or products removed from the site must be approved by the OCD.

III. SITE ASSESSMENT

Prior to final closure (Section VIII), soils into which nonrecoverable products or wastes have infiltrated and which have a reasonable probability to injure or be detrimental to public health, fresh waters, animal or plant life, or property or unreasonably interfere with the public welfare or use of the property should be assessed for their potential environmental impacts and remediated according to the procedures contained in the following sections. Assessment results form the basis of any required remediation. Sites will be assessed for severity of contamination and potential environmental and public health threats using a risk based ranking system.

The following characteristics should be determined in order to evaluate a sites potential risks, the need for remedial action and, if necessary, the level of cleanup required at the site:

A. GENERAL SITE CHARACTERISTICS

1. Depth To Ground Water

The operator should determine the depth to ground water at each site. The depth to ground water is defined as the vertical distance from the lowermost contaminants to the seasonal high water elevation of the ground water.

If the exact depth to ground water is unknown, the ground water depth can be estimated using either local water well information, published regional ground water information, data on file with the New Mexico State Engineer Office or the vertical distance from adjacent ground water or surface water.

2. Wellhead Protection Area

The operator should determine the horizontal distance from all water sources including private and domestic water sources. Water sources are defined as wells, springs or other sources of fresh water extraction. Private and domestic water sources are those water sources used by less than five households for domestic or stock purposes.

3. Distance To Nearest Surface Water Body

The operator should determine the horizontal distance to all downgradient surface water bodies. Surface water bodies are defined as perennial rivers, streams, creeks, irrigation canals and ditches, lakes, ponds and playas.

B. SOIL/WASTE CHARACTERISTICS

Soils/wastes within and beneath the area of the leak, spill or release should be evaluated to determine the type and extent of contamination at the site. In order to assess the level of contamination, observations should be made of the soils at the surface and samples of the impacted soils should be taken in the leak, spill or release area. Observations should note whether previous leaks, spills or releases have occurred at the site. Additional samples may be required to completely define the lateral and vertical extent of contamination. Soil samples should be obtained according to the sampling procedures in Sections V.A. and V.B. This may be accomplished using a backhoe, drill rig, hand auger, shovel or other means.

Initial assessment of soil contaminant levels is not required if an operator proposes to determine the final soil contaminant concentrations after a soil removal or remediation pursuant to section VI.A.

Varying degrees of contamination described below may co-exist at an individual site. The following sections describe the degrees of contamination that should be documented during the

assessment of the level of soil contamination:

1. Highly Contaminated/Saturated Soils

Highly contaminated/saturated soils are defined as those soils which contain a free liquid phase or exhibit gross staining.

2. Unsaturated Contaminated Soils

Unsaturated contaminated soils are defined as soils which are not highly contaminated/saturated, as described above, but contain benzene, toluene, ethylbenzene and xylenes (BTEX) and total petroleum hydrocarbons (TPH) or other potential fresh water contaminants unique to the leak, spill or release. Action levels and sampling and analytical methods for determining contaminant concentrations are described in detail in Sections IV. and V.

**** (NOTE: Soils contaminated as a result of spills, leaks or releases of non-exempt wastes must be evaluated for all RCRA Subtitle C hazardous waste characteristics. The above definitions apply only to oilfield contaminated soils which are exempt from federal RCRA Subtitle C hazardous waste provisions and nonexempt oilfield contaminated soils which are characteristically nonhazardous according to RCRA Subtitle C regulations. Any nonexempt contaminated soils which are determined to be characteristically hazardous cannot be remediated using this guidance document and will be referred to the New Mexico Environment Department Hazardous Waste Program.)

C. GROUND WATER QUALITY

If ground water is encountered during the soil/waste characterization of the impacted soils, a sample should be obtained to assess the incidents potential impact on ground water quality. Ground water samples should be obtained using the sampling procedures in Section V.C. Monitor wells may be required to assess potential impacts on ground water and the extent of ground water contamination, if there is a reasonable probability of ground water contamination based upon the extent and magnitude of soil contamination defined during remedial activities.

IV. SOIL AND WATER REMEDIATION ACTION LEVELS

A. SOILS

The sections below describe the OCD's recommended remediation action levels for soils contaminated with petroleum hydrocarbons. Soils contaminated with substances other than petroleum hydrocarbons may be required to be remediated based

upon the nature of the contaminant and it's potential to impact fresh waters, public health and the environment.

1. Highly Contaminated/Saturated Soils

All highly contaminated/saturated soils should be remediated insitu or excavated to the maximum extent practicable. These soils should be remediated using techniques described in Section VI.A to the contaminant specific level listed in Section IV.A.2.b.

2. Unsaturated Contaminated Soils

The general site characteristics obtained during the site assessment (Section III.A.) will be used to determine the appropriate soil remediation action levels using a risk based approach. Soils which are contaminated by petroleum constituents will be scored according to the ranking criteria below to determine their relative threat to public health, fresh waters and the environment.

a. Ranking Criteria

<u>Depth To Ground Water</u>	<u>Ranking Score</u>
<50 feet	20
50 - 99	10
>100	0

Wellhead Protection Area

<1000 feet from a water source, or;
<200 feet from private domestic water source

Yes	20
No	0

Distance To Surface Water Body

<200 horizontal feet	20
200 - 1000 horizontal feet	10
>1000 horizontal feet	0

b. Recommended Remediation Action Level

The total ranking score determines the degree of remediation that may be required at any given site. The total ranking score is the sum of all four individual ranking criteria listed in Section IV.A.2.a. The table below lists the remediation action level that may be required for the appropriate total ranking score.

(NOTE: The OCD retains the right to require remediation to more stringent levels than those proposed below if warranted by site specific conditions (ie. native soil type, location relative to population centers and future use of the site or other appropriate site specific conditions.)

	<u>Total Ranking Score</u>		
	<u>>19</u>	<u>10 - 19</u>	<u>0 - 9</u>
<u>Benzene (ppm) *</u>	10	10	10
<u>BTEX (ppm) *</u>	50	50	50
<u>TPH (ppm) **</u>	100	1000	5000

* A field soil vapor headspace measurement (Section V.B.1) of 100 ppm may be substituted for a laboratory analysis of the Benzene and BTEX concentration limits.

** The contaminant concentration for TPH is the concentration above background levels.

B. GROUND WATER

Contaminated ground water is defined as ground water of a present or foreseeable beneficial use which contains free phase products, dissolved phase volatile organic constituents or other dissolved constituents in excess of the natural background water quality. Ground water contaminated in excess of the WQCC ground water standards or natural background water quality will require remediation.

V. SOIL AND WATER SAMPLING PROCEDURES

Below are the sampling procedures for soil and ground water contaminant investigations of leaks, spills or releases of RCRA Subtitle C exempt oil field petroleum hydrocarbon wastes. Leaks, spills or releases of non-exempt RCRA wastes must be tested to demonstrate that the wastes are not characteristically hazardous according to RCRA regulations. Sampling for additional constituents may be required based upon the nature of the contaminant which was leaked, spilled or released.

A. HIGHLY CONTAMINATED OR SATURATED SOILS

The following method is used to determine if soils are highly contaminated or saturated:

1. Physical Observations

Study a representative sample of the soil for observable free petroleum hydrocarbons or immiscible phases and gross staining. The immiscible phase may range from a free hydrocarbon to a sheen on any associated aqueous phase. A soil exhibiting any of these characteristics is considered highly contaminated or saturated.

B. UNSATURATED CONTAMINATED SOILS

The following methods may be used for determining the magnitude of contamination in unsaturated soils:

1. Soil Sampling Procedures for Headspace Analysis

A headspace analysis may be used to determine the total volatile organic vapor concentrations in soils (ie. in lieu of a laboratory analysis for benzene and BTEX but not in lieu of a TPH analysis). Headspace analysis procedures should be conducted according to OCD approved industry standards or other OCD-approved procedures. Accepted OCD procedures are as follows:

- a) Fill a 0.5 liter or larger jar half full of sample and seal the top tightly with aluminum foil or fill

a one quart zip-lock bag one-half full of sample and seal the top of the bag leaving the remainder of the bag filled with air.

- b) Ensure that the sample temperature is between 15 to 25 degrees Celsius (59-77 degrees Fahrenheit).
- c) Allow aromatic hydrocarbon vapors to develop within the headspace of the sample jar or bag for 5 to 10 minutes. During this period, the sample jar should be shaken vigorously for 1 minute or the contents of the bag should be gently massaged to break up soil clods.
- d) If using a jar, pierce the aluminum foil seal with the probe of either a PID or FID organic vapor meter (OVM), and then record the highest (peak) measurement. If using a bag, carefully open one end of the bag and insert the probe of the OVM into the bag and re-seal the bag around the probe as much as possible to prevent vapors from escaping. Record the peak measurement. The OVM must be calibrated to assume a benzene response factor.

2. Soil Sampling Procedures For Laboratory Analysis

a. Sampling Procedures

Soil sampling for laboratory analysis should be conducted according to OCD approved industry standards or other OCD-approved procedures. Accepted OCD soil sampling procedures and laboratory analytical methods are as follows:

- i) Collect samples in clean, air-tight glass jars supplied by the laboratory which will conduct the analysis or from a reliable laboratory equipment supplier.
- ii) Label the samples with a unique code for each sample.
- iii) Cool and store samples with cold packs or on ice.
- iv) Promptly ship sample to the lab for analysis following chain of custody procedures.
- v) All samples must be analyzed within the holding times for the laboratory analytical method specified by EPA.

b. Analytical Methods

All soil samples must be analyzed using EPA methods, or by other OCD approved methods and must

be analyzed within the holding time specified by the method. Below are laboratory analytical methods commonly accepted by OCD for analysis of soil samples analyzed for petroleum related constituents. Additional analyses may be required if the substance leaked, spilled or released has been anything other than petroleum based fluids or wastes.

- i) Benzene, toluene, ethylbenzene and xylene
 - EPA Method 602/8020
- ii) Total Petroleum Hydrocarbons
 - EPA Method 418.1, or;
 - EPA Method Modified 8015

C. GROUND WATER SAMPLING

If an investigation of ground water quality is deemed necessary, it should be conducted according to OCD approved industry standards or other OCD-approved procedures. The following methods are standard OCD accepted methods which should be used to sample and analyze ground water at RCRA Subtitle C exempt sites (Note: The installation of monitor wells may not be required if the OCD approves of an alternate ground water investigation or sampling technique):

1. Monitor Well Installation/Location

One monitor well should be installed adjacent to and hydrologically down-gradient from the area of the leak, spill or release to determine if protectable fresh water has been impacted by the disposal activities. Additional monitor wells, located up-gradient and down-gradient of the leak, spill or release, may be required to delineate the full extent of ground water contamination if ground water underlying the leak, spill or release has been found to be contaminated.

2. Monitor Well Construction

- a) Monitor well construction materials should be:
 - i) selected according to industry standards;
 - ii) chemically resistant to the contaminants to be monitored; and
 - iii) installed without the use of glues/adhesives.
- b) Monitor wells should be constructed according to OCD approved industry standards to prevent migration of contaminants along the well casing. Monitor wells should be constructed with a minimum of fifteen

(15) feet of well screen. At least five (5) feet of the well screen should be above the water table to accommodate seasonal fluctuations in the static water table.

3. Monitor Well Development

When ground water is collected for analysis from monitoring wells, the wells should be developed prior to sampling. The objective of monitor well development is to repair damage done to the formation by the drilling operation so that the natural hydraulic properties of the formation are restored and to remove any fluids introduced into the formation that could compromise the integrity of the sample. Monitoring well development is accomplished by purging fluid from the well until the pH and specific conductivity have stabilized and turbidity has been reduced to the greatest extent possible.

4. Sampling Procedures

Ground water should be sampled according to OCD accepted standards or other OCD approved methods. Samples should be collected in clean containers supplied by the laboratory which will conduct the analysis or from a reliable laboratory equipment supplier. Samples for different analyses require specific types of containers. The laboratory can provide information on the types of containers and preservatives required for sample collection. The following procedures are accepted by OCD as standard sampling procedures:

- a) Monitor wells should be purged of a minimum of three well volumes of ground water using a clean bailer prior to sampling to ensure that the sample represents the quality of the ground water in the formation and not stagnant water in the well bore.
- b) Collect samples in appropriate sample containers containing the appropriate preservative for the analysis required. No bubbles or headspace should remain in the sample container.
- c) Label the sample containers with a unique code for each sample.
- d) Cool and store samples with cold packs or on ice.
- e) Promptly ship sample to the lab for analysis following chain of custody procedures.
- f) All samples must be analyzed within the holding times for the laboratory analytical method specified by EPA.

5. Ground Water Laboratory Analysis

Samples should be analyzed for potential ground water contaminants contained in the waste stream, as defined by the WQCC Regulations. All ground water samples must be analyzed using EPA methods, or by other OCD approved methods and must be analyzed within the holding time specified by the method. Below are OCD accepted laboratory analytical methods for analysis of ground water samples analyzed for petroleum related constituents. Additional analyses may be required if the substance leaked, spilled or release has been anything other than a petroleum based fluid or waste.

a. Analytical Methods

i.) Benzene, Toluene, Ethylbenzene and Xylene

- EPA Method 602/8020

ii.) Major Cations and Anions

- Various EPA or standard methods

iii.) Heavy Metals

- EPA Method 6010, or;

- Various EPA 7000 series methods

iv.) Polynuclear Aromatic Hydrocarbons

- EPA Method 8100

VI. REMEDATION

The following discussion summarizes recommended techniques for remediation of contaminated soil and ground water as defined in Section IV.A. and IV.B. OCD approval for remediation of an individual leak, spill or release site is not required if the company is operating under an OCD approved spill containment plan.

All procedures which deviate from the companies spill containment plan must be approved by OCD.

A. SOIL REMEDIATION

When RCRA Subtitle C exempt or RCRA nonhazardous petroleum contaminated soil requires remediation, it should be remediated and managed according to the criteria described below or by other OCD approved procedures which will remove, treat, or isolate contaminants in order to protect fresh waters, public health and the environment.

In lieu of remediation, OCD may accept an assessment of risk which demonstrates that the remaining contaminants will not pose a threat to present or foreseeable beneficial use of fresh waters, public health and the environment.

1. Contaminated Soils

Highly contaminated/saturated soils and unsaturated contaminated soils exceeding the standards described in Section IV.A. should be either:

- a) Excavated from the ground until a representative sample from the walls and bottom of the excavation is below the contaminant specific remediation level listed in Section IV.A.2.b or an alternate approved remediation level, or;
- b) Excavated to the maximum depth and horizontal extent practicable. Upon reaching this limit a sample should be taken from the walls and bottom of the excavation to determine the remaining levels of soil contaminants, or;
- c) Treated in place, as described in Section VI.A.2.b.ii. - Treatment of Soil in Place, until a representative sample is below the contaminant specific remediation level listed in Section IV.A.2.b, or an alternate approved remediation level, or;
- d) Managed according to an approved alternate method.

2. Soil Management Options

All soil management options must be approved by OCD. The following is a list of options for either on-site

treatment or off-site treatment and/or disposal of contaminated soils:

a. Disposal

Excavated soils may be disposed of at an off-site OCD approved or permitted facility.

b. Soil Treatment and Remediation Techniques

i. Landfarming

Onetime applications of contaminated soils may be landfarmed on location by spreading the soil in an approximately six inch lift within a bermed area. Only soils which do not contain free liquids can be landfarmed. The soils should be disced regularly to enhance biodegradation of the contaminants. If necessary, upon approval by OCD, moisture and nutrients may be added to the soil to enhance aerobic biodegradation.

In some high risk areas an impermeable liner may be required to prevent leaching of contaminants into the underlying soil.

Landfarming sites that will receive soils from more than one location are considered centralized sites and must be approved separately by the OCD prior to operation.

ii. Insitu Soil Treatment

Insitu treatment may be accomplished using vapor venting, bioremediation or other approved treatment systems.

iii. Alternate Methods

The OCD encourages alternate methods of soil remediation including, but not limited to, active soil aeration, composting, bioremediation, solidification, and thermal treatment.

B. GROUND WATER REMEDIATION

1. Remediation Requirements

Ground water remediation activities will be reviewed and approved by OCD on a case by case basis prior to commencement of remedial activities. When contaminated ground water exceeds WQCC ground water standards, it

should be remediated according to the criteria described below.

a. Free Phase Contamination

Free phase floating product should be removed from ground water through the use of skimming devices, total-fluid type pumps, or other OCD-approved methods.

b. Dissolved Phase Contamination

Ground water contaminated with dissolved phase constituents in excess of WQCC ground water standards can be remediated by either removing and treating the ground water, or treating the ground water in place. If treated waters are to be disposed of onto or below the ground surface, a discharge plan must be submitted and approved by OCD.

c. Alternate Methods

The OCD encourages other methods of ground water remediation including, but not limited to, air sparging and bioremediation. Use of alternate methods must be approved by OCD prior to implementation.

VII. TERMINATION OF REMEDIAL ACTION

Remedial action may be terminated when the criteria described below have been met:

A. SOIL

Contaminated soils requiring remediation should be remediated so that residual contaminant concentrations are below the recommended soil remediation action level for a particular site as specified in Section IV.A.2.b.

If soil action levels cannot practicably be attained, an evaluation of risk may be performed and provided to OCD for approval showing that the remaining contaminants will not pose a threat to present or foreseeable beneficial use of fresh water, public health and the environment.

B. GROUND WATER

A ground water remedial action may be terminated if all recoverable free phase product has been removed, and the concentration of the remaining dissolved phase contaminants in the ground water does not exceed New Mexico WQCC water quality standards or background levels. Termination of remedial action will be approved by OCD upon a demonstration of completion of remediation as described in above.

VIII. FINAL CLOSURE

Upon termination of any required remedial actions (Section VII.) the area of a leak, spill or release may be closed by backfilling any excavated areas, contouring to provide drainage away from the site, revegetating the area or other OCD approved methods.

IX. FINAL REPORT

Upon completion of remedial activities a final report summarizing all actions taken to mitigate environmental damage related to the leak, spill or release will be provided to OCD for approval.

APPENDIX D – State Engineers Water Well Report

New Mexico Office of the State Engineer
POD Reports and Downloads

Township: Range: Sections:

NAD27 X: Y: Zone: Search Radius:

County: Basin: Number: Suffix:

Owner Name: (First) (Last) Non-Domestic Domestic All

POD / SURFACE DATA REPORT 01/22/2008

DB File Nbr	(acre ft per annum)	Use	Diversion	Owner	POD Number	Source	Tws	Rng	Sec	q	q	q
SJ 02466		POL	0.84	EL PASO NATURAL GAS CO.	SJ 02466	Shallow	29N	11W	11	4	3	3
					SJ 02466 S	Shallow	29N	11W	11	4	3	3

Record Count: 2

New Mexico Office of the State Engineer
 POD Reports and Downloads

Township: Range: Sections:

NAD27 X: Y: Zone: Search Radius:

County: Basin: Number: Suffix:

Owner Name: (First) (Last) Non-Domestic Domestic All

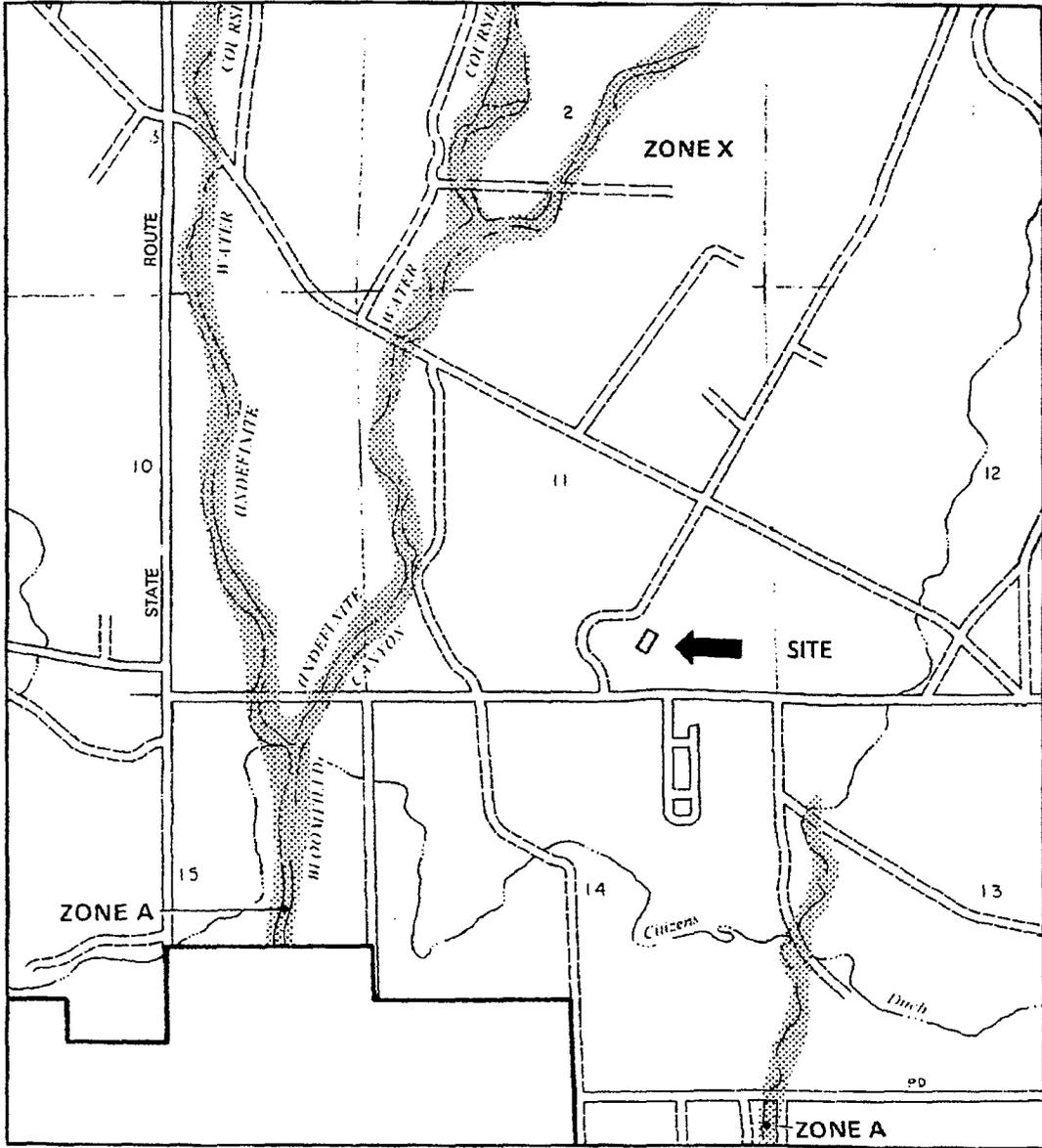
POD / Surface Data Report Avg Depth to Water Report Water Column Report

POD / SURFACE DATA REPORT 01/22/2008

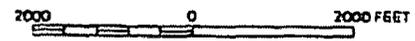
DB File Nbr	Use	Diversion	Owner	POD Number	Source	Tws	Rng	Sec	q	q
SJ 00007	IND	150	EL PASO NATURAL GAS COMPANY	SJ 00007	Shallow	29N	11W	14	2	2 3
SJ 00702	DOM	3	STEVE N. DE YAPP	SJ 00702		29N	11W	14	3	3
SJ 01426	DOM	3	GEORGE GOEBEL	SJ 01426	Shallow	29N	11W	14	1	4
SJ 01743	DOM	3	ERNEST G. ARMENTA	SJ 01743		29N	11W	14	1	1
SJ 01774	DOM	3	CELSA (LOBATO) HERON	SJ 01774	Shallow	29N	11W	14	3	4 2
SJ 02466	POL	0.84	EL PASO NATURAL GAS CO.	SJ 02466	Shallow	29N	11W	11	4	3 3
SJ 03164	DOM	3	WAYNE WENDELL	SJ 02466 S	Shallow	29N	11W	11	4	3 3
SJ 03175	DOM	3	MARVIN TUCKER	SJ 03164	Shallow	29N	11W	14	4	2 1
SJ 03360	DOM	3	SUSAN JENSEN	SJ 03175	Shallow	29N	11W	14	4	2 1
SJ 03550	STK	0	ROBERT TRUBY	SJ 03360		29N	11W	14	3	4 2
SJ 03654	DOM	3	SHIRLEY ARMSTRONG	SJ 03550		29N	11W	14	3	2 1
SJ 03655	DOM	3	SHIRLEY ARMSTRONG	SJ 03654		29N	11W	14	2	4 4
SJ 03656	DOM	3	SHIRLEY ARMSTRONG	SJ 03655		29N	11W	14	2	4 4
				SJ 03656		29N	11W	14	2	4 4

Record Count: 14

APPENDIX E – FEMA Flood Map



APPROXIMATE SCALE

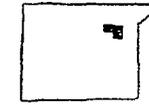


NATIONAL FLOOD INSURANCE PROGRAM

FIRM
FLOOD INSURANCE RATE MAP

SAN JUAN COUNTY,
NEW MEXICO
UNINCORPORATED AREAS

PANEL 550 OF 1450
(SEE MAP INDEX FOR PANELS NOT PRINTED)



PANEL LOCATION

COMMUNITY-PANEL NUMBER
350064 0550 B

EFFECTIVE DATE:
AUGUST 4, 1988



Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps, check the FEMA Flood Map Store at www.msc.fema.gov

July 9, 2002

Mr. Ed Martin
New Mexico Oil Conservation Division
1220 S. St. Francis
Santa Fe, NM 87505

RE: Kutz Hydrocarbon Recovery Facility Discharge Plan, Number GW-049-1

Dear Sir:

Please find attached the Approval Conditions to the above referenced Discharge Plan. The Approval Conditions were signed by Mr. Bennie Armenta, Area Manager on July 8, 2002. For whatever additional information you may need, please call me at (505) 599-2256.

Sincerely yours,



David Bays, REM
Principal Environmental Scientist

cc: Denny Foust – NMOCD – Aztec, NM
Bennie Armenta
Loren Paris
Kutz Separator Disch. Plan file

ATTACHMENT TO THE DISCHARGE PLAN RENEWAL GW 049-1
EL PASO FIELD SERVICES
KUTZ HYDROCARBON RECOVERY FACILITY
DISCHARGE PLAN APPROVAL CONDITIONS
July 2, 2002

1. Payment of Discharge Plan Fees: Both the \$100.00 filing fee and the \$1,725.00 flat fee are due upon receipt of this approval. All checks are to be made payable to Water Quality Management Fund and forwarded to the OCD Santa Fe Office. Please note the new mailing address on letterhead. **Total due upon receipt: \$1,825.00.**
2. Commitments: El Paso Field Services will abide by all commitments submitted in the discharge plan renewal application letter dated July 30, 2001 and these conditions for approval.
3. Waste Disposal: All wastes will be disposed of at an OCD approved facility. Only oilfield exempt wastes shall be disposed of down Class II injection wells. Non-exempt oilfield wastes that are non-hazardous may be disposed of at an OCD approved facility upon proper waste determination per 40 CFR Part 261. Any waste stream that is not listed in the discharge plan will be approved by OCD on a case-by-case basis. **Rule 712 Waste:** Pursuant to Rule 712, disposal of certain non-domestic waste is permitted at solid waste facilities permitted by the New Mexico Environment Department as long as:
 1. the waste stream is identified, and authorized, as such in the discharge plan, and;
 2. existing process knowledge of such waste streams does not change without notification to the Oil Conservation Division.
4. Drum Storage: All drums containing materials other than fresh water must be stored on an impermeable pad with curbing. All empty drums will be stored on their sides with the bungs in and lined up on a horizontal plane. Chemicals in other containers such as sacks or buckets will also be stored on an impermeable pad and curb type containment.
5. Process Areas: All process and maintenance areas which show evidence that leaks and spills are reaching the ground surface must be either paved and curbed or have some type of spill collection device incorporated into the design.
6. Above Ground Tanks: All above ground tanks which contain fluids other than fresh water must be bermed to contain a volume of one-third more than the total volume of the largest tank or of all interconnected tanks. All new tanks or existing

tanks that undergo a major modification, as determined by the Division, must be placed within an impermeable bermed enclosure.

7. Above Ground Saddle Tanks: Above ground saddle tanks must have impermeable pad and curb type containment unless they contain fresh water or fluids that are gases at atmospheric temperature and pressure.
8. Labeling: All tanks, drums and containers will be clearly labeled to identify their contents and other emergency notification information.
9. Below Grade Tanks/Sumps: All below grade tanks, sumps, and pits must be approved by the OCD prior to installation or upon modification and must incorporate secondary containment and leak-detection into the design. All below grade tanks and sumps must be tested annually. Results of such tests shall be maintained at the facility covered by this discharge plan and available for NMOCD inspection. Permit holders may propose various methods for testing such as pressure testing to 3 pounds per square inch above normal operating pressure and/or visual inspection of cleaned out tanks and/or sumps, or other OCD approved methods. The OCD will be notified at least 72 hours prior to all testing.
10. Underground Process/Wastewater Lines: All underground process/wastewater pipelines must be approved by the OCD prior to installation and must be tested to demonstrate their mechanical integrity every five (5) years. Results of such tests shall be maintained at the facility covered by this discharge plan and available for NMOCD inspection. Permit holders may propose various methods for testing such as pressure testing to 3 pounds per square inch above normal operating pressure or other means acceptable to the OCD. The OCD will be notified at least 72 hours prior to all testing.
11. Class V Wells: No Class V wells that inject non-hazardous industrial wastes or a mixture of industrial wastes and domestic wastes will be approved for construction and/or operation unless it can be demonstrated that groundwater will be impacted in the reasonably foreseeable future. Leach fields and other wastewater disposal systems at OCD regulated facilities that inject non-hazardous fluid into or above an underground source of drinking water are considered Class V injection wells under the EPA UIC program. Class V wells that inject domestic waste only must be permitted by the New Mexico Environment Department.
12. Housekeeping: All systems designed for spill collection/prevention will be inspected weekly and after each storm event to ensure proper operation and to prevent overtopping or system failure. A record of inspections will be retained on site for a period of five years.

13. Spill Reporting: All spills/releases will be reported pursuant to OCD Rule 116 and WQCC 1203 to the OCD Aztec District Office.
14. Transfer of Discharge Plan: The OCD will be notified prior to any transfer of ownership, control, or possession of a facility with an approved discharge plan. A written commitment to comply with the terms and conditions of the previously approved discharge plan must be submitted by the purchaser and approved by the OCD prior to transfer.
15. Storm Water Plan: El Paso Field Services shall maintain storm water runoff controls. As a result of operations, if any water contaminant that exceeds the WQCC standards listed in 20 NMAC 6.2.3101 is discharged in any storm water run-off, then El Paso Field Services shall: take immediate actions to mitigate the effects of the run-off, notify the OCD within 24 hours, and modify the discharge plan to include a formal storm water run-off containment plan and submit for OCD approval within 15 days.
16. Closure: The OCD will be notified when operations of the Kutz Hydrocarbon Recovery Facility are discontinued for a period in excess of six months. Prior to closure of the facility, the company will submit a closure plan for approval. Closure and waste disposal will be in accordance with the statutes, rules and regulations in effect at the time of closure.
17. Conditions accepted by: El Paso Field Services, by the officer whose signature appears below, accepts this permit and agrees to comply with all terms and conditions contained herein. El Paso Field Services further acknowledges that the Division, for good cause shown as necessary to protect fresh water, human health and the environment may change the conditions and requirements of this permit administratively.

El Paso Field Services

Print Name: Bennie J. Armenta

Signature: 

Title: Blanco Arca Manager

Date: July 8, 2002



NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

GARY E. JOHNSON
Governor
Betty Rivera
Cabinet Secretary

Lori Wrotenbery
Director
Oil Conservation Division

July 2, 2002

CERTIFIED MAIL
RETURN RECEIPT NO. 5357-6914

Mr. David Bays
El Paso Field Services
P.O. Box 4990
Farmington, NM 87499

RE: Discharge Plan Renewal GW049-1
El Paso Field Services
Kutz Hydrocarbon Recovery Facility
San Juan County, New Mexico

Dear Mr. Bays

The ground water discharge plan renewal GW 49-1 for the El Paso Field Services Kutz Hydrocarbon Recovery Facility located in the S/2 of Section 11, Township 29 North, Range 11 West, NMPM, San Juan County, New Mexico, is hereby approved under the conditions contained in the enclosed attachment. Enclosed are two copies of the conditions of approval. **Please sign and return one copy to the New Mexico Oil Conservation Division (OCD) Santa Fe office within thirty (30) days of receipt of this letter.** Please note new mailing address below.

The discharge plan renewal application letter, dated July 30, 2001, submitted pursuant to Section 3106 of the New Mexico Water Quality Control Commission (WQCC) Regulations includes all earlier applications and approvals and all conditions later placed on those approvals. The discharge plan is renewed pursuant to Section 3109.C. Please note Section 3109.G, which provides for possible future amendment of the plan. Please be advised that approval of this plan does not relieve El Paso Field Services of responsibility should operations result in pollution of surface water, ground water or the environment. Nor does it relieve El Paso Field Services of its responsibility to comply with any other governmental authority's rules and regulations.

Please be advised that all exposed pits, including lined pits and open tanks (exceeding 16 feet in diameter) shall be screened, netted or otherwise rendered nonhazardous to wildlife including migratory birds.

Please note that Section 3104 of the regulations provides: "When a plan has been approved, discharges must be consistent with the terms and conditions of the plan." Pursuant to Section 3107.C, El Paso Field Services is required to notify the Director of

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

7000 1670 0012 5357 6914

Postage	\$	
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

SANTA FE NM
JUL 02 2002
87505

Sent To
DAVID BAYS @ EPFS
Street, Apt. No., or PO Box No.
P.O. Box 4990
City, State, ZIP+4
FARMINGTON, NM 87499

Postmark Here

GW49-1 ED

Mr. David Bays
GW 49-1
July 2, 2002
Page 2

any facility expansion, production increase or process modification that would result in any change in the discharge of water quality or volume.

Pursuant to Section 3109.H.4, this renewal plan is for a period of five years. This renewal will expire on June 17, 2006, and El Paso Field Services should submit an application in ample time before this date. Note that under Section 3106.F of the regulations, if a discharger submits a discharge plan renewal application at least 120 days before the discharge plan expires and is in compliance with the approved plan, then the existing discharge plan will not expire until the application for renewal has been approved or disapproved.

The discharge plan renewal application for the El Paso Field Services Kutz Hydrocarbon Recovery Facility is subject to WQCC Regulation 3114. Every facility submitting a discharge plan application will be assessed a filing fee of \$100.00. There is a flat fee assessed for industrial facilities, discharging less than 10,000 gallons per day, of \$1,725.00. Neither of these fees has been received for this facility. They are due upon receipt of this approval.

On behalf of the staff of the OCD, I wish to thank you and your staff for your cooperation during this discharge plan review.

Sincerely,



for Roger C. Anderson
Chief, Environmental Bureau
Oil Conservation Division

RCA/eem
Attachment

Xc: OCD Aztec Office

ATTACHMENT TO THE DISCHARGE PLAN RENEWAL GW 049-1
EL PASO FIELD SERVICES
KUTZ HYDROCARBON RECOVERY FACILITY
DISCHARGE PLAN APPROVAL CONDITIONS
July 2, 2002

1. Payment of Discharge Plan Fees: Both the \$100.00 filing fee and the \$1,725.00 flat fee are due upon receipt of this approval. All checks are to be made payable to Water Quality Management Fund and forwarded to the OCD Santa Fe Office. Please note the new mailing address on letterhead. **Total due upon receipt: \$1,825.00.**
2. Commitments: El Paso Field Services will abide by all commitments submitted in the discharge plan renewal application letter dated July 30, 2001 and these conditions for approval.
3. Waste Disposal: All wastes will be disposed of at an OCD approved facility. Only oilfield exempt wastes shall be disposed of down Class II injection wells. Non-exempt oilfield wastes that are non-hazardous may be disposed of at an OCD approved facility upon proper waste determination per 40 CFR Part 261. Any waste stream that is not listed in the discharge plan will be approved by OCD on a case-by-case basis. **Rule 712 Waste:** Pursuant to Rule 712, disposal of certain non-domestic waste is permitted at solid waste facilities permitted by the New Mexico Environment Department as long as:
 1. the waste stream is identified, and authorized, as such in the discharge plan, and;
 2. existing process knowledge of such waste streams does not change without notification to the Oil Conservation Division.
4. Drum Storage: All drums containing materials other than fresh water must be stored on an impermeable pad with curbing. All empty drums will be stored on their sides with the bungs in and lined up on a horizontal plane. Chemicals in other containers such as sacks or buckets will also be stored on an impermeable pad and curb type containment.
5. Process Areas: All process and maintenance areas which show evidence that leaks and spills are reaching the ground surface must be either paved and curbed or have some type of spill collection device incorporated into the design.
6. Above Ground Tanks: All above ground tanks which contain fluids other than fresh water must be bermed to contain a volume of one-third more than the total volume of the largest tank or of all interconnected tanks. All new tanks or existing

tanks that undergo a major modification, as determined by the Division, must be placed within an impermeable bermed enclosure.

7. Above Ground Saddle Tanks: Above ground saddle tanks must have impermeable pad and curb type containment unless they contain fresh water or fluids that are gases at atmospheric temperature and pressure.
8. Labeling: All tanks, drums and containers will be clearly labeled to identify their contents and other emergency notification information.
9. Below Grade Tanks/Sumps: All below grade tanks, sumps, and pits must be approved by the OCD prior to installation or upon modification and must incorporate secondary containment and leak-detection into the design. All below grade tanks and sumps must be tested annually. Results of such tests shall be maintained at the facility covered by this discharge plan and available for NMOCD inspection. Permit holders may propose various methods for testing such as pressure testing to 3 pounds per square inch above normal operating pressure and/or visual inspection of cleaned out tanks and/or sumps, or other OCD approved methods. The OCD will be notified at least 72 hours prior to all testing.
10. Underground Process/Wastewater Lines: All underground process/wastewater pipelines must be approved by the OCD prior to installation and must be tested to demonstrate their mechanical integrity every five (5) years. Results of such tests shall be maintained at the facility covered by this discharge plan and available for NMOCD inspection. Permit holders may propose various methods for testing such as pressure testing to 3 pounds per square inch above normal operating pressure or other means acceptable to the OCD. The OCD will be notified at least 72 hours prior to all testing.
11. Class V Wells: No Class V wells that inject non-hazardous industrial wastes or a mixture of industrial wastes and domestic wastes will be approved for construction and/or operation unless it can be demonstrated that groundwater will be impacted in the reasonably foreseeable future. Leach fields and other wastewater disposal systems at OCD regulated facilities that inject non-hazardous fluid into or above an underground source of drinking water are considered Class V injection wells under the EPA UIC program. Class V wells that inject domestic waste only must be permitted by the New Mexico Environment Department.
12. Housekeeping: All systems designed for spill collection/prevention will be inspected weekly and after each storm event to ensure proper operation and to prevent overtopping or system failure. A record of inspections will be retained on site for a period of five years.

13. Spill Reporting: All spills/releases will be reported pursuant to OCD Rule 116 and WQCC 1203 to the OCD Aztec District Office.
14. Transfer of Discharge Plan: The OCD will be notified prior to any transfer of ownership, control, or possession of a facility with an approved discharge plan. A written commitment to comply with the terms and conditions of the previously approved discharge plan must be submitted by the purchaser and approved by the OCD prior to transfer.
15. Storm Water Plan: El Paso Field Services shall maintain storm water runoff controls. As a result of operations, if any water contaminant that exceeds the WQCC standards listed in 20 NMAC 6.2.3101 is discharged in any storm water run-off, then El Paso Field Services shall: take immediate actions to mitigate the effects of the run-off, notify the OCD within 24 hours, and modify the discharge plan to include a formal storm water run-off containment plan and submit for OCD approval within 15 days.
16. Closure: The OCD will be notified when operations of the Kutz Hydrocarbon Recovery Facility are discontinued for a period in excess of six months. Prior to closure of the facility, the company will submit a closure plan for approval. Closure and waste disposal will be in accordance with the statutes, rules and regulations in effect at the time of closure.
17. Conditions accepted by: El Paso Field Services, by the officer whose signature appears below, accepts this permit and agrees to comply with all terms and conditions contained herein. El Paso Field Services further acknowledges that the Division, for good cause shown as necessary to protect fresh water, human health and the environment may change the conditions and requirements of this permit administratively.

El Paso Field Services

Print Name: _____

Signature: _____

Title: _____

Date: _____



STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT

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

September 25, 1997

CERTIFIED MAIL
RETURN RECEIPT NO. P-288-258-979

Mr. David Bayes
El Paso Field Services
P.O. Box 4990
Farmington, New Mexico 87499

**RE: Discharge Plan GW-049-1 Modification
Kutz Hydrocarbon Recovery Facility
San Juan County, New Mexico**

Dear Mr. Bayes:

The ground water discharge plan modification GW-049-1, for the El Paso Field Services (EPFS) Kutz Hydrocarbon Recovery Facility located in the S/2 of Section 11, Township 29 North, Range 11 West, NMPM, San Juan County, New Mexico, is **hereby approved** under the conditions contained in the enclosed attachment. The discharge plan consists of the original discharge plan as approved June 17, 1996, and the discharge plan modification application dated June 20, 1997. Enclosed are two copies of the conditions of approval. **Please sign and return one copy to the New Mexico Oil Conservation Division (OCD) Santa Fe Office within 10 working days of receipt of this letter.**

The discharge plan was submitted pursuant to Section 3106 of the New Mexico Water Quality Control Commission (WQCC) Regulations. It is approved pursuant to Section 3109.A. Please note Sections 3109.E and 3109.F., which provide for possible future amendments or modifications of the plan. Please be advised that approval of this plan does not relieve EPFS of liability should operations result in pollution of surface water, ground water, or the environment.

Please be advised that all exposed pits, including lined pits and open tanks (tanks exceeding 16 feet in diameter), shall be screened, netted, or otherwise rendered nonhazardous to wildlife including migratory birds.

Mr. David Bayes
September 25, 1997
Page 2

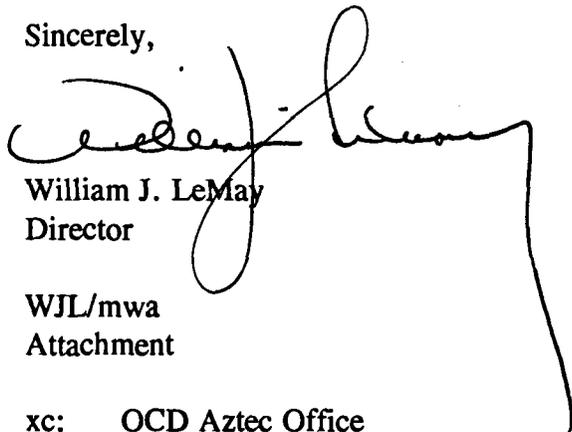
Please note that Section 3104 of the regulations require "When a facility has been approved, discharges must be consistent with the terms and conditions of the plan." Pursuant to Section 3107.C. EPFS is required to notify the Director of any facility expansion, production increase, or process modification that would result in any change in the discharge of water quality or volume.

The discharge plan modification application for the El Paso Field Services Kutz Hydrocarbon Recovery Facility is subject to WQCC Regulation 3114. Every billable facility submitting a discharge plan modification will be assessed a fee equal to the filing fee of \$50 plus a flat fee of \$287.50. The OCD has not received the filing fee or the flat fee. The filing fee is due upon receipt of this approval. The flat fee may be paid in a single payment due on the date of the discharge plan approval or in five equal installments over the expected duration of the discharge plan. Installment payments shall be remitted yearly, with the first installment due on the date of the discharge plan approval.

Please make all checks payable to: **NMED-Water Quality Management** and addressed to the OCD Santa Fe Office.

On behalf of the staff of the OCD, I wish to thank you and your staff for your cooperation during this discharge plan review.

Sincerely,



William J. LeMay
Director

WJL/mwa
Attachment

xc: OCD Aztec Office

ATTACHMENT TO THE DISCHARGE PLAN GW-049-1 MODIFICATION
EL PASO FIELD SERVICES
KUTZ HYDROCARBON RECOVERY FACILITY
DISCHARGE PLAN APPROVAL CONDITIONS
(September 25, 1997)

1. Payment of Discharge Plan Fees: The \$50.00 filing fee shall be submitted upon receipt of the approval. The \$287.50 required flat fee may be paid in a single payment due at the time of approval, or in equal annual installments over the duration of the plan, with the first payment due upon receipt of this approval.
2. EPFS Commitments: EPFS will abide by all commitments submitted in the discharge plan approval dated June 17, 1996 and the modification application dated June 20, 1997.
3. Drum Storage: All drums containing materials other than fresh water must be stored on an impermeable pad with curbing. All empty drums will be stored on their sides with the bungs in and lined up on a horizontal plane. Chemicals in other containers such as sacks or buckets will also be stored on an impermeable pad and curb type containment.
4. Process Areas: All process and maintenance areas which show evidence that leaks and spills are reaching the ground surface must be either paved and curbed or have some type of spill collection device incorporated into the design.
5. Above Ground Tanks: All above ground tanks which contain fluids other than fresh water must be bermed to contain a volume of one-third more than the total volume of the largest tank or of all interconnected tanks. All new facilities or modifications to existing facilities must place the tank on an impermeable type pad within the berm.
6. Above Ground Saddle Tanks: Above ground saddle tanks must have impermeable pad and curb type containment unless they contain fresh water or fluids that are gases at atmospheric temperature and pressure.
7. Labeling: All tanks, drums and containers should be clearly labeled to identify their contents and other emergency information necessary if they were to rupture, spill, or ignite.
8. Below Grade Tanks/Sumps: All below grade tanks, sumps, and pits must be approved by the OCD prior to installation or upon modification and must incorporate secondary containment and leak-detection into the design. All pre-existing sumps and below-grade tanks must demonstrate integrity on an annual basis. Integrity tests include pressure testing to 3 pounds per square inch above normal operating pressure and/or visual inspection of cleaned out tanks and/or sumps, or other OCD approved methods. The OCD will be notified at least 72 hours prior to all testing.

9. **Underground Process/Wastewater Lines:** All underground process/wastewater pipelines must be tested to demonstrate their mechanical integrity at present and then every 5 years thereafter, or prior to discharge plan renewal. Permittees may propose various methods for testing such as pressure testing to 3 pounds per square inch above normal operating pressure or other means acceptable to the OCD. The OCD will be notified at least 72 hours prior to all testing.
10. **Class V Wells:** Leach fields and other wastewater disposal systems at OCD regulated facilities which inject fluid other than domestic waste sewage below the surface are considered Class V injection wells under the EPA UIC program. All class V wells will be closed unless, it can be demonstrated that protectable groundwater will not be impacted in the reasonably foreseeable future. Class V wells must be closed through the Santa Fe Office. The OCD allows industry to submit closure plans which are protective of human health, environment and groundwater as defined by the WQCC, and are cost effective.
11. **Housekeeping:** All systems designed for spill collection/prevention should be inspected to ensure proper operation and to prevent overtopping or system failure.
12. **Spill Reporting:** All spills/releases shall be reported pursuant to OCD Rule 116 and WQCC 1203 to the OCD Aztec District Office.
13. **Transfer of Discharge Plan:** The OCD will be notified prior to any transfer of ownership, control, or possession of a facility with an approved discharge plan. A written commitment to comply with the terms and conditions of the previously approved discharge plan must be submitted by the purchaser and approved by the OCD prior to transfer.
14. **Closure:** The OCD will be notified when operations of the facility are discontinued for a period in excess of six months. Prior to closure of the facility a closure plan will be submitted for approval by the Director. Closure and waste disposal will be in accordance with the statutes, rules and regulations in effect at the time of closure.
15. **Certification:** EPFS, by the officer whose signature appears below, accepts this permit and agrees to comply with all terms and conditions contained herein. EPFS further acknowledges that these conditions and requirements of this permit may be changed administratively by the Division for good cause shown as necessary to protect fresh water, human health and the environment.

Accepted:

EL PASO FIELD SERVICES

by _____
Title

P 288 258 979.

US Postal Service
Receipt for Certified Mail
No Insurance Coverage Provided.
Do not use for International Mail (See reverse)

PS Form 3800, April 1995

Sent to	
Street & Number	
Post Office, State, & ZIP Code	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	



**NEW MEXICO ENERGY, MINERALS
& NATURAL RESOURCES DEPARTMENT**

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

P 288 258 678

November 14, 1996

CERTIFIED MAIL
RETURN RECEIPT NO. P-288-258-678

Mr. David Bays
El Paso Field Services (EPFS)
P.O. Box 4990
Farmington, NM 87499

**RE: Location Correction - GW-049-1
Kutz Hydrocarbon Recovery.
San Juan County, New Mexico**

Dear Mr. Bays:

The OCD has received the "location correction" for the above captioned facility dated March 6, 1996. The location for this facility is now :

S1/2, Section 11, Township 29 North, Range 11 West, NMPM, San Juan County, New Mexico. This location replaces the location given in the June 17, 1996 discharge plan approval letter from OCD.

The OCD appreciates EPFS cooperation with regards to this matter, if you have any questions please feel free to give me a call at (505) 827-7156.

Sincerely,

Patricio W. Sanchez,
Petroleum Engineering Specialist
Environmental Bureau

xc: Denny Foust , OCD Aztec Office

US Postal Service
Receipt for Certified Mail
No Insurance Coverage Provided.
Do not use for International Mail (See reverse)

Sent to EPFS-Kutz GW-049-1 - Mr. Bays	
Street & Number LOCATION CORR. PWS	
Post Office, State, & ZIP Code	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

PS Form 3800 April 1995

EPFS
EL PASO FIELD SERVICES

CONSERVATION DIVISION
RECEIVED

1996 JUN 28 AM 8 52

June 26, 1996

Mr. Roger Anderson
New Mexico Oil Conservation Division
2040 S. Pacheco
Santa Fe, NM 87505

RE: Discharge Plan GW-049-1

Enclosed please find a signed copy of the Discharge Plan Requirements for plan GW-049-1. The flat fee of \$575.00 is being forwarded under a separate cover.

If you need any additional information, please call me at (505) 599-2256.

Sincerely yours,



David Bays

cc: S. D. Miller

ATTACHMENT TO THE DISCHARGE PLAN GW-049-1 APPROVAL
EL PASO FIELD SERVICES
KUTZ HYDROCARBON RECOVERY FACILITY
DISCHARGE PLAN REQUIREMENTS
(June 17, 1996)

1. Payment of Discharge Plan Fees: The \$575 flat fee shall be submitted upon receipt of this approval. The required flat fee may be paid in a single payment due at the time of approval, or in equal annual installments over the duration of the plan, with the first payment due upon receipt of this approval.
2. EPFS Commitments: EPFS will abide by all commitments submitted in the discharge plan application dated January 30, 1996.
3. Drum Storage: All drums containing materials other than fresh water must be stored on an impermeable pad and curb type containment. All empty drums should be stored on their sides with the bungs in place and lined up on a horizontal plane. Chemicals in other containers such as sacks or buckets should also be stored on an impermeable pad and curb type containment.

Several drums located at the northwest corner of the pond have not been contained according to OCD requirements. EPFS shall have all drums properly contained by August 1, 1996.

4. Process Areas: All process and maintenance areas which show evidence that leaks and spills are reaching the ground surface must be either paved and curbed or have some type of spill collection device incorporated into the design.

The containment for the off-loading valves appears to have run over to the ground surface. EPFS must insure that all spills and leaks are contained within the existing containment.

5. Above Ground Tanks: All above ground tanks which contain fluids other than fresh water must be bermed to contain a volume of one-third more than the total volume of the largest tank or of all interconnected tanks. All new facilities or modifications to existing facilities must place the tank on an impermeable type pad.

The emulsion treatment tank, storage tank, and the receiving/storage tank do not meet the OCD requirements for berming. EPFS shall have the above mentioned tanks properly bermed by June 17, 1996.

Ms. Sandra Miller

June 17, 1996

Page 4

6. **Above Ground Saddle Tanks:** Above ground saddle tanks must have impermeable pad and curb type containment unless they contain fresh water or fluids that are gases at atmospheric temperature and pressure.
7. **Tank Labeling:** All tanks should be clearly labeled to identify their contents and other emergency information necessary if the tank were to rupture, spill, or ignite.
8. **Below Grade Tanks/Sumps:** All below grade tanks, sumps, and pits must be approved by the OCD prior to installation or upon modification and must incorporate secondary containment and leak-detection into the design. All pre-existing sumps and below-grade tanks must demonstrate integrity on an annual basis. Integrity tests include pressure testing to 3 pounds per square inch above normal operating pressure and/or visual inspection of cleaned out tanks and/or sumps. The OCD will be notified at least 72 hours prior to all testing so that an OCD representative may witness the testing.
9. **Underground Process/Wastewater Lines:** All underground process/wastewater pipelines must be tested to demonstrate their mechanical integrity at present and then every 5 years there after. Permittees may propose various methods for testing such as pressure testing to 3 pounds per square inch above normal operating pressure or other means acceptable to the OCD. The OCD will be notified at least 72 hours prior to all testing so that an OCD representative may witness the testing.
10. **Housekeeping:** All systems designed for spill collection/prevention should be inspected to ensure proper operation and to prevent overtopping or system failure.
11. **Spill Reporting:** All spills/releases shall be reported pursuant to OCD Rule 116 and WQCC 1203 to the OCD Aztec District Office.
12. **Transfer of Discharge Plan:** The OCD will be notified prior to any transfer of ownership, control, or possession of a facility with an approved discharge plan. A written commitment to comply with the terms and conditions of the previously approved discharge plan must be submitted by the purchaser and approved by the OCD prior to transfer.
13. **Closure:** The OCD will be notified when operations of the facility are discontinued for a period in excess of six months. Prior to closure of the facility a closure plan will be submitted for approval by the Director. Closure and waste disposal will be in accordance with the statutes, rules and regulations in effect at the time of closure.
14. **OCD Inspections:** Additional requirements may be placed on the facility based upon results from OCD inspections.

Ms. Sandra Miller
June 17, 1996
Page 5

15. **Modifications:** The 100 bbl tank for used oil from neighboring compressor facilities shall be completed with the following additional conditions:
- a) The tank must be bermed to contain a volume of one-third more than the total volume of the largest tank or of all interconnected tanks.
 - b) The berm must be designed to completely contain any leaks or spills. Therefore, a drain line to the adjacent pond will not be allowed.
 - c) The six inch gravel pad must be an impermeable type pad.
 - d) The OCD Aztec Office will be notified 72 hours prior to installation so that an OCD representative may witness the installation.

16. Conditions accepted by: David Bay 6/26/96
Company Representative Date
Sr. Env. Scientist
Title



STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT

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

June 17, 1996

CERTIFIED MAIL
RETURN RECEIPT NO. Z-765-962-953

Ms. Sandra Miller
El Paso Field Services
614 Reilly Ave.
Farmington, NM 87401

**RE: Discharge Plan GW-049-1
Kutz Hydrocarbon Recovery Facility
San Juan County, New Mexico**

Dear Ms. Miller:

* The groundwater discharge plan, GW-049-1, and the modification to incorporate one 100 bbl tank for the El Paso Field Services (EPFS) Kutz Hydrocarbon Recovery Facility located in the N/2 of Section 15, Township 29 North, Range 11 West, NMPM, San Juan County, New Mexico, is hereby approved under the conditions contained in the enclosed attachment. The application consists of the discharge plan application dated January 30, 1996, and the modification dated April 23, 1996. Enclosed are two copies of the conditions of approval. **Please sign and return one copy to the New Mexico Oil Conservation Division (OCD) Santa Fe Office within five working days of receipt of this letter.**

The discharge plan application was submitted pursuant to Section 3106 of the Water Quality Control Commission (WQCC) Regulations. It is approved pursuant to Section 3109.A. Please note Section 3109.F., which provides for possible future amendments or modifications of the plan. Please be advised that approval of this plan does not relieve EPFS of liability should operations result in pollution of surface or ground waters, or the environment.

Please be advised that all exposed pits, including lined pits and open top tanks (exceeding 16 feet in diameter) shall be screened, netted, or otherwise rendered nonhazardous to wildlife including migratory birds.

Please note that Section 3104 of the regulations requires that "when a plan has been approved, discharges must be consistent with the terms and conditions of the plan." Pursuant to Section

* Actual location is S $\frac{1}{2}$, Section 11, T-29-N, R-11-W, NMPM,
San Juan County, N.M. JWS 11-14-96.

Ms. Sandra Miller
June 17, 1996
Page 2

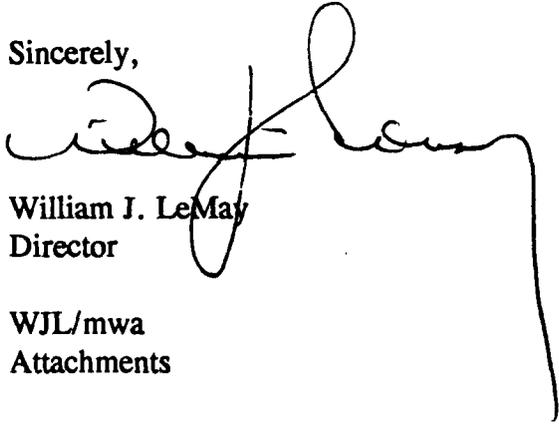
3107.C. EPFS is required to notify the Director of any facility expansion, production increase, or process modification that would result in any change in the discharge of water quality or volume.

Pursuant to Section 3109.G.4., this approval is for a period of five years. This approval will expire June 17, 2001, and an application for renewal should be submitted in ample time before that date. Note that under Section 3106.F. of the regulations, if a discharger submits a discharge plan renewal application at least 120 days before the discharge plan expires and is in compliance with the approved plan, then the existing discharge plan will not expire until the application for renewal has been approved or disapproved. It should be noted that all discharge plan facilities will be required to submit plans for, or the results of, an underground drainage testing program as a requirement for discharge plan renewal.

The discharge plan renewal application for the El Paso Field Services Kutz Hydrocarbon Recovery Facility is subject to WQCC Regulation 3114. Every billable facility submitting a discharge plan will be assessed a fee equal to the filing fee of \$50 plus a flat fee of \$575 for facilities with an average discharge of less than 10,000 gallons per day. The \$50 filing fee was received by the OCD on February 22, 1996. The OCD has not received the flat fee of \$575 which may be paid in a single payment due on the date of the discharge plan approval or in five equal installments over the expected duration of the discharge plan. Installment payments shall be remitted yearly, with the first installment due on the date of the discharge plan approval and subsequent installments due on this date of each calendar year.

On behalf of the staff of the OCD, I wish to thank you and your staff for your cooperation during this discharge plan review.

Sincerely,



William J. LeMay
Director

WJL/mwa
Attachments

xc: OCD Aztec Office

ATTACHMENT TO THE DISCHARGE PLAN GW-049-1 APPROVAL
EL PASO FIELD SERVICES
KUTZ HYDROCARBON RECOVERY FACILITY
DISCHARGE PLAN REQUIREMENTS
(June 17, 1996)

1. Payment of Discharge Plan Fees: The \$575 flat fee shall be submitted upon receipt of this approval. The required flat fee may be paid in a single payment due at the time of approval, or in equal annual installments over the duration of the plan, with the first payment due upon receipt of this approval.
2. EPFS Commitments: EPFS will abide by all commitments submitted in the discharge plan application dated January 30, 1996.
3. Drum Storage: All drums containing materials other than fresh water must be stored on an impermeable pad and curb type containment. All empty drums should be stored on their sides with the bungs in place and lined up on a horizontal plane. Chemicals in other containers such as sacks or buckets should also be stored on an impermeable pad and curb type containment.

Several drums located at the northwest corner of the pond have not been contained according to OCD requirements. EPFS shall have all drums properly contained by August 1, 1996.

4. Process Areas: All process and maintenance areas which show evidence that leaks and spills are reaching the ground surface must be either paved and curbed or have some type of spill collection device incorporated into the design.

The containment for the off-loading valves appears to have run over to the ground surface. EPFS must insure that all spills and leaks are contained within the existing containment.

5. Above Ground Tanks: All above ground tanks which contain fluids other than fresh water must be bermed to contain a volume of one-third more than the total volume of the largest tank or of all interconnected tanks. All new facilities or modifications to existing facilities must place the tank on an impermeable type pad.

The emulsion treatment tank, storage tank, and the receiving/storage tank do not meet the OCD requirements for berming. EPFS shall have the above mentioned tanks properly bermed by June 17, 1996.

Ms. Sandra Miller

June 17, 1996

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6. **Above Ground Saddle Tanks:** Above ground saddle tanks must have impermeable pad and curb type containment unless they contain fresh water or fluids that are gases at atmospheric temperature and pressure.
7. **Tank Labeling:** All tanks should be clearly labeled to identify their contents and other emergency information necessary if the tank were to rupture, spill, or ignite.
8. **Below Grade Tanks/Sumps:** All below grade tanks, sumps, and pits must be approved by the OCD prior to installation or upon modification and must incorporate secondary containment and leak-detection into the design. All pre-existing sumps and below-grade tanks must demonstrate integrity on an annual basis. Integrity tests include pressure testing to 3 pounds per square inch above normal operating pressure and/or visual inspection of cleaned out tanks and/or sumps. The OCD will be notified at least 72 hours prior to all testing so that an OCD representative may witness the testing.
9. **Underground Process/Wastewater Lines:** All underground process/wastewater pipelines must be tested to demonstrate their mechanical integrity at present and then every 5 years there after. Permittees may propose various methods for testing such as pressure testing to 3 pounds per square inch above normal operating pressure or other means acceptable to the OCD. The OCD will be notified at least 72 hours prior to all testing so that an OCD representative may witness the testing.
10. **Housekeeping:** All systems designed for spill collection/prevention should be inspected to ensure proper operation and to prevent overtopping or system failure.
11. **Spill Reporting:** All spills/releases shall be reported pursuant to OCD Rule 116 and WQCC 1203 to the OCD Aztec District Office.
12. **Transfer of Discharge Plan:** The OCD will be notified prior to any transfer of ownership, control, or possession of a facility with an approved discharge plan. A written commitment to comply with the terms and conditions of the previously approved discharge plan must be submitted by the purchaser and approved by the OCD prior to transfer.
13. **Closure:** The OCD will be notified when operations of the facility are discontinued for a period in excess of six months. Prior to closure of the facility a closure plan will be submitted for approval by the Director. Closure and waste disposal will be in accordance with the statutes, rules and regulations in effect at the time of closure.
14. **OCD Inspections:** Additional requirements may be placed on the facility based upon results from OCD inspections.

EL PASO FIELD SERVICES L.P.
 EL PASO FIELD SERVICES
 Houston, TX 77002

CHECK DATE
 07/25/2002

CHECK NUMBER
 [REDACTED]

NEW MEXICO OIL CONSERVATION DIVISION

WATER QUALITY MANAGEMENT FUND
 1220 SOUTH ST FRANCIS DRIVE
 SANTA FE, NM 87505

EMITTANCE ADVICE RETAIN FOR YOUR RECORDS
 Refer Payment Inquiries to FPFS - 713-420-4200

VENDOR F000000858
 NEW MEXICO OIL CONSERVATION DIVISION

Voucher ID	Invoice Number	Invoice Date	Description	Discount	Paid Amount
00140963	CKREQ020722	07/22/2002	GW-49-1 Partial APPLY \$1800 \$ 25 49-1 71 (Chaco Plant)	0.00	1,825.00
TOTAL				\$0.00	\$1,825.00

EL PASO FIELD SERVICES L.P.
 EL PASO FIELD SERVICES
 Houston, TX 77002

CITIBANK
 One Penn's Way
 New Castle, DE 19720

CHECK DATE
 07/25/2002

CHECK NUMBER
 [REDACTED]

62-20
 311

Amount

***\$1,825.00

VOID AFTER ONE YEAR

ONE THOUSAND EIGHT HUNDRED TWENTY-FIVE AND XX / 100 US DOLLAR

The Order Of
 NEW MEXICO OIL CONSERVATION DIVISION
 WATER QUALITY MANAGEMENT FUND
 1220 SOUTH ST FRANCIS DRIVE
 SANTA FE, NM 87505

H. Brent Austin
 Authorized Signature



Check Date: 10/09/97

Acct. No. 39119471

Check No. [REDACTED]

Invoice Number	Invoice Date	Voucher ID	Gross Amount	Discount Available	Paid Amount
CKREQ971001	10/01/97	00033776	337.50	0.00	337.50

FILING FEE & FLAT FEE

GW-49-1

Vendor Number	Vendor Name		Total Discounts		
0000000478	NEW MEXICO ENVIRONMENT DEPT		\$0.00		
Check Number	Date		Total Amount	Discounts Taken	Total Paid Amount
[REDACTED]	10/09/97		\$ 337.50	0.00	\$337.50

ACKNOWLEDGEMENT OF RECEIPT
OF CHECK/CASH

I hereby acknowledge receipt of check No. [REDACTED] dated 6/27/96

or cash received on _____ in the amount of \$ 575.00

from FPPS

for Kutz Separator GW-049-7

Submitted by: _____ Date: _____

Submitted to ASD by: J. Anderson Date: 7/2/96

Received in ASD by: D. Salazar Date: 7-2-96

Filing Fee _____ New Facility Renewal _____

Modification _____ Other _____

Organization Code 521.07 Applicable FY 96

To be deposited in the Water Quality Management Fund.

Full Payment or Annual Increment _____

THIS MULTI-TONE AREA OF THE DOCUMENT CHANGES COLOR GRADUALLY AND EVENLY FROM DARK TO LIGHT WITH DARKER AREAS BOTH TOP AND BOTTOM

EPFS
EL PASO FIELD SERVICES

P.O. Box 99234
El Paso, TX 79999-9234

Payable At
CITIBANK DELAWARE
ONE PENN'S WAY
NEW CASTLE, DE 19720

62-20
311

Date 06/27/96

Pay *****Five Hundred Seventy-Five and 00/100 US Dollars*****

To The Order Of

NMED WATER QUALITY MANAGEMENT
2040 S PACHECO
SANTA FE, NM 87505

Pay Amount \$575.00*****

Void After 1 Year

H. Brent Austin
Authorized Signature

COPYRAN: ANTI-FRAUD PROTECTION - PATENTS 4,210,346; 4,227,720; 4,210,180; 5,197,915

Check Date: 06/27/96

EL PASO FIELD SERVICES COMPANY

Phone: 915/541-3885

Check No: [REDACTED]

Voucher	Comment	Invoice	Invoice Date	Amount	Discount	Paid Amount
00011800	KUTZ SEPARATOR DISCHARGE FEE	CKREQ960626	06/26/96	\$575.00	\$0.00	\$575.00

GW-049-1

Vendor Number	Vendor Name			Total Discounts	
0000000969	NMED WATER QUALITY MANAGEMENT			\$0.00	
Check Number	Date	Account No.	Total Amount	Discount Taken	Total Paid Amount
[REDACTED]	06/27/96		\$575.00	\$0.00	\$575.00