GW - 215

GENERAL CORRESPONDENCE

YEAR(S):

2005 - 1994

NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

BILL RICHARDSON
Governor
Joanna Prukop
Cabinet Secretary

September 1, 2005

Mark E. Fesmire, P.E.
Director
Oil Conservation Division

Mr. Gale Blackwell
Permian Treating Chemicals, Inc.
P.O. Box 815
Tatum, New Mexico 88211

RE: Discharge Permit Renewal GW-215
Permian Treating Chemicals, Inc.
Tatum Facility
Lea County, New Mexico

Dear Mr. Blackwell:

The ground water discharge permit renewal application GW-215 for the Permian Treating Chemicals, Inc. Tatum Facility located in the NE/4 of Section 30, Township 12 South, Range 36 East, Lea 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 30 days of receipt of this letter.**

The original discharge permit application was submitted on July 20, 1995 and approved September 5, 1995. The discharge permit renewal application, dated May 9, 2005, submitted pursuant to 20 NMAC 3106 of the New Mexico Water Quality Control Commission (WQCC) Regulations also includes all earlier applications and all conditions later placed on those approvals. The discharge permit is approved pursuant to 20 NMAC 3109.A. and 3109.C. Please note 20 NMAC 3109.E. and 20 NMAC 3109.F, provides for possible future amendment of the Permit. Please be advised that approval of this Permit does not relieve Permian Treating Chemicals, Inc. 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.

Please note that 20 NMAC 3104 of the regulations provides: "When a Permit has been approved, discharges must be consistent with the terms and conditions of the Permit." Pursuant to 20 NMAC 3107.C., Permian Treating Chemicals, Inc. 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 20 NMAC 3109.G.4., this renewal Permit is for a period of five years. This renewal will expire on **September 5, 2010**, and Permian Treating Chemicals, Inc. should submit an application in ample time before this date. Note that under 20 NMAC 3106.F. of the regulations, 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. It should be noted that all discharge Permit facilities will be required to submit the results of an underground drainage testing program as a requirement for discharge permit .

The discharge permit renewal application for the Permian Treating Chemicals, Inc. Tatum Facility is subject to WQCC Regulation 3114. Every billable facility submitting a discharge permit application will be assessed a fee equal to the filing fee of $100.00. There is a renewal flat fee assessed for oil field service company facilities equal to $1,700.00. The OCD has received the filing fee.

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,

Roger C. Anderson
Chief, Environmental Bureau
Oil Conservation Division

RCA/wjf
Attachment

xc: OCD Hobbs Office

ATTACHMENT TO THE DISCHARGE PERMIT RENEWAL GW-215
PERMIAN TREATING CHEMICALS, INC.
TATUM FACILITY
DISCHARGE PERMIT APPROVAL CONDITIONS
(September 1, 2005)

1. Payment of Discharge Permit Fees: The $100.00 filing fee has been received by the OCD. There is a required flat fee equal to $1,700.00 for oil field service companies. The renewal flat fee required for this facility may be paid in a single payment due at the time of approval, or in equal annual installments over the duration of the discharge permit, with the first payment due upon receipt of this approval.

2. Permian Treating Chemicals, Inc. Commitments: Permian Treating Chemicals, Inc. will abide by all commitments submitted in the discharge Permit renewal application letter dated May 9, 2005 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.

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 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.

10. Underground Process/Wastewater Lines: All underground process/wastewater pipelines must be tested to demonstrate their mechanical integrity every 5 years. The permittee 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 closed unless it can be demonstrated that groundwater 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.

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 Hobbs District Office.

14. Transfer of Discharge Permit: The OCD will be notified prior to any transfer of ownership, control, or possession of a facility with an approved discharge permit. A written commitment to comply with the terms and conditions of the previously approved discharge permit must be submitted by the purchaser and approved by the OCD prior to transfer.

15. Storm Water Permit: Permian Treating Chemicals, Inc. shall maintain storm water runoff controls. As a result of Permian Treating Chemicals, Inc.'s operations any water contaminant that exceeds the WQCC standards listed in 20 NMAC 6.2.3101 is discharged in any storm water runoff then Permian Treating Chemicals, Inc. shall notify the OCD within 24 hours, modify the Permit within 15 days and submit for OCD approval. Permian Treating Chemicals, Inc. shall also take immediate corrective actions pursuant to Item 12 of these conditions.

16. Closure: The OCD will be notified when operations of the Tatum Facility are discontinued for a period in excess of six months. Prior to closure of the Tatum Facility a closure workplan 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.

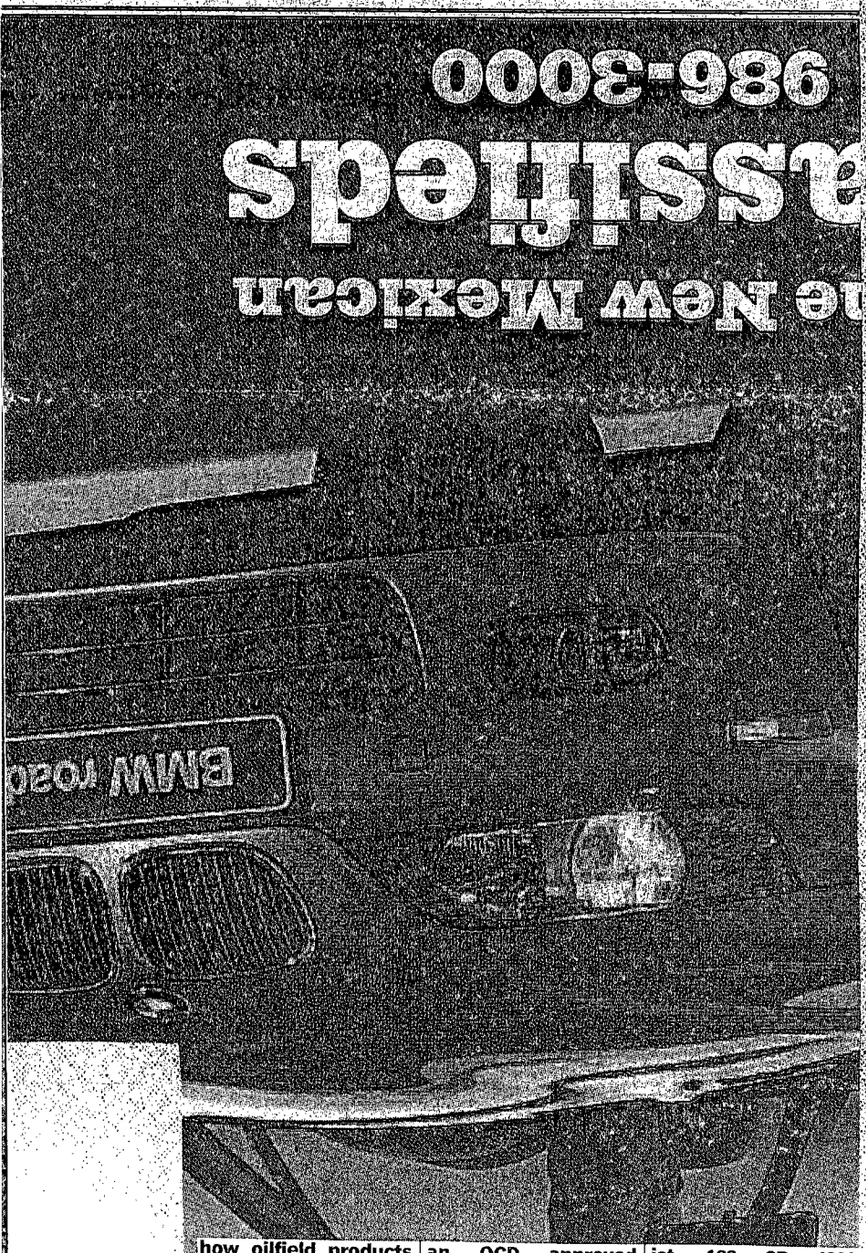
17. Certification: Permian Treating Chemicals, Inc., by the officer whose signature appears below, accepts this permit and agrees to comply with all terms and conditions contained herein. Permian Treating Chemicals, Inc. further acknowledges that these conditions and requirements of this permit may be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

Accepted:

PERMIAN TREATING CHEMICALS, INC.

by_____

_____
Title



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 OCD proposed conditions can be viewed at www.emnrd.state.nm.us/ocd in the Draft Discharge Permit for this facility.

(GW-198) - Williams Field Service, Mark J. Barets, Senior Environmental Specialist, 188 CR 4900, Bloomfield, New Mexico 87413, has submitted a discharge permit renewal application for their 29-6 #3 Compressor Station located in the NW/4 NE/4, Section 14, Township 29 North, Range 6 West, NMPM, Rio Arriba County, New Mexico. Up to 3,000 barrels of produced water is generated on site and collected in containment vessels prior to transport to an OCD approved off-site disposal facility. The discharge permit 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. Groundwater most likely to be affected by an accidental discharge is at a depth of 50 feet with a total dissolved solids of approximately 100 mg/l. The discharge permit 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 OCD proposed conditions can be viewed at www.emnrd.state.nm.us/ocd in the Draft Discharge Permit for this facility.

(GW-215) - Permian Treating Chemicals, Inc., Gale Blackwell, P.O. Box 815, Tatum, New Mexico 88267, has submitted a discharge plan renewal application for their Tatum facility located in the NE/4 of Section 30, Township 12 South, Range 36 East, Lea County, New Mexico. All effluents that may be generated at the facility will be collected in an above ground closed top tank prior to transport off-site for disposal at an OCD approved facility. The discharge permit 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. Groundwater most likely to be affected by an accidental discharge is at a depth of 40 feet with a total dissolved solids concentrations ranging from approximately 200 mg/l to 2000 mg/l. The OCD proposed conditions can be viewed at www.emnrd.state.nm.us/ocd in the Draft Discharge Permit for this facility.

(GW-322) - Williams Field Services, Inc., David Bays, Senior Environmental Specialist, 188 CR 4900, Bloomfield, New Mexico 87413, has submitted a discharge permit renewal application for their Glade compressor station located in the NW/4 SW/4, Section 30, Township 31 North, Range 12 West, NMPM, San Juan County, New Mexico. Up to 3,000 barrels per year of produced water with a total dissolved solids concentration in excess of 3600 mg/l is stored in an above ground, closed-top fiberglass tank prior to transport to an OCD approved off-site disposal facility. The discharge permit 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. Groundwater most likely to be affected by an accidental discharge is at a depth of 40 feet with a total dissolved solids concentrations ranging from approximately 200 mg/l to 2000 mg/l. The OCD proposed conditions can be viewed at www.emnrd.state.nm.us/ocd in the Draft Discharge Permit for this facility.

him and public hearing may be requested by any interested person. Request for public hearing shall set forth the reasons why a hearing shall be held. A hearing will be held if the director determines that there is significant public interest.

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

GIVEN under the Seal of New Mexico Conservation Commission at Santa Fe, New Mexico, on this 18th day of July 2005.

STATE OF
NEW MEXICO
OIL CONSERVATION
DIVISION

SEAL

MARK FEISMIER,P.E.,
Director

Legal #77446
Pub. July 25, 2005

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

State of New Mexico
Energy Minerals and Natural Resources

Oil Conservation Division
2040 South Pacheco
Santa Fe, NM 87505

Revised March 17, 1999

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

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

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

☐ New ☑ Renewal ☐ Modification

1. Type: Oilfield Service Company (Chemicals)
2. Operator: Permian Treating Chemicals, Inc.

   Address: P.O. Box 815, Tatum, N.M. 88267

   Contact Person: Mr. Gale Blackwell Phone: 505-398-4111

3. Location: NE /4 _____ /4 Section 30 Township 12 Range 36

   Submit large scale topographic map showing exact location.

4. Attach the name, telephone number and address of the landowner of the facility site. N/C
5. Attach the description of the facility with a diagram indicating location of fences, pits, dikes and tanks on the facility. N/C
6. Attach a description of all materials stored or used at the facility. N/C
7. Attach a description of present sources of effluent and waste solids. Average quality and daily volume of waste water must be included. N/C
8. Attach a description of current liquid and solid waste collection/treatment/disposal procedures. N/C
9. Attach a description of proposed modifications to existing collection/treatment/disposal systems. N/C
10. Attach a routine inspection and maintenance plan to ensure permit compliance. N/C
11. Attach a contingency plan for reporting and clean-up of spills or releases. N/C
12. Attach geological/hydrological information for the facility. Depth to and quality of ground water must be included. N/C
13. Attach a facility closure plan, and other information as is necessary to demonstrate compliance with any other OCD rules, regulations and/or orders. N/C
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: Gale Blackwell Title: Owner/Operator

Signature: Gale Blackwell Date: 5/9/05

NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

BILL RICHARDSON
Governor
Joanna Prukop
Cabinet Secretary

April 4, 2005

Mark E. Fesmire, P.E.
Director
Oil Conservation Division

Mr. Gale Blackwell
Permian Treating Chemicals, Inc.
P.O. Box 815
Tatum, New Mexico 88267

RE: Discharge Permit Renewal Notice for Permian Treating Chemicals, Inc. Facility

Dear Mr. Blackwell:

Permian Treating Chemicals, Inc. has the following discharge permit that expires on the date shown below.

GW-215 expires 9/5/2005 – Tatum Service Facility

WQCC 3106.F. If the holder of an approved discharge permit submits an application for discharge permit renewal at least 120 days before the discharge permit expires, and the discharger is not in violation of the approved discharge permit on the date of its expiration, then the existing approved discharge permit for the same activity shall not expire until the application for renewal has been approved or disapproved. A discharge permit continued under this provision remains fully effective and enforceable. An application for discharge permit renewal must include and adequately address all of the information necessary for evaluation of a new discharge permit. Previously submitted materials may be included by reference provided they are current, readily available to the secretary and sufficiently identified to be retrieved. [12-1-95]

The discharge permit renewal application for the above facility is subject to WQCC Regulation 3114. Every billable facility submitting a discharge permit renewal will be assessed a fee equal to the filing fee of $100.00 plus a flat fee for oil field service facilities. The $100.00 filing fee is submitted with the discharge permit renewal application and is nonrefundable.

Please make check payable to: **NMED-Water Quality Management** and addressed to the OCD Santa Fe Office. Please submit the original discharge permit renewal application and one copy to the OCD Santa Fe Office and one copy to the OCD Hobbs District Office. **Note that the completed and signed application form must be submitted with your discharge permit renewal request.** (Copies of the WQCC regulations and discharge permit application form and guidelines are available on OCD's website at **www.emnrd.state.nm.us/ocd/**).

If the above facility no longer has any actual or potential discharges and a discharge permit is not needed, please notify this office. If the Permian Treating Chemicals, Inc. has any questions, please do not hesitate to contact me at (505) 476-3489.

Sincerely,

W. Jack Ford, C.P.G.
Oil Conservation Division

cc: OCD Hobbs District Office

NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

BILL RICHARDSON
Governor
Joanna Prukop
Cabinet Secretary

February 24, 2005

Mark E. Fesmire, P.E.
Director
Oil Conservation Division

Mr. Gale Blackwell
Permian Treating Chemicals, Inc.
P.O. Box 815
Tatum, New Mexico 88267

RE: GW-215 Tatum Facility Inspection
Lea County, New Mexico

Dear Mr. Blackwell:

The New Mexico Oil Conservation Division (OCD) personnel, Mr. Ed Martin and Mr. W. Jack Ford, on February 7, 2005, along with you inspected the Tatum facility of Permian Treating Chemicals, Inc. The purpose was an inspection for renewal of discharge permit for this facility that expires September 5, 2005. The information that follows will address the concerns of the OCD at the above referenced facility:

1. Empty drums and barrels need to be stored on their side with bungs in place and horizontal to grade. See condition number 4 of the discharge plan.

2. All drums and/or barrels require clear labeling to identify their contents.

3. General housekeeping is being addressed at the site and will be checked again in the near future.

4. Empty drums used as a work surface should be restored in the empty drum storage.

The OCD would like to thank you for your professional conduct during the site visit. If there any questions regarding this report feel free to call me at (505)-476-3489.

Sincerely,

W. Jack Ford, C.P.G.
Water Resource Engineering Specialist
OCD Environment Bureau

cc: OCD Hobbs District Office

ACKNOWLEDGEMENT OF RECEIPT OF CHECK/CASH

I hereby acknowledge receipt of check No. [redacted] dated 9-7-04,

or cash received on _____ in the amount of $ 138.00

from Permian Treating Chemical

for Permian Tatum Facility (Facility Name) GW-215 (DP No.)

Submitted by: _____ Date: 10-1-04

Submitted to ASD by: _____ Date: _____

Received in ASD by: _____ Date: _____

Filing Fee ___ New Facility ___ Renewal ✓

Modification ___ Other _____ (specify)

Organization Code 521.07 Applicable FY 2001

To be deposited in the Water Quality Management Fund.

Full Payment ___ or Annual Increment ✓

[redacted]

PERMIAN TREATING CHEMICALS, INC.
P.O. BOX 815 505/398-4111
TATUM, NM 88267

WESTERN COMMERCE BANK
TATUM, NM
95-108/1122 8

Memo: 5750P421A25

One Hundred Thirty-Eight and 00/100 Dollars

DATE: Sep 7, 2004

AMOUNT: *********$138.00

PAY TO THE ORDER OF: NMED-Water Quality Management
1220 St. Francis Drive
Santa Fe, NM 87505

Gale Blackwell
AUTHORIZED SIGNATURE

[redacted]

PERMIAN TREATING CHEMICALS, INC

NMED-Water Quality Manage[redacted]t

Check Number: 13408
Check Date: Sep 7, 2004

Check Amount: $138.00

Item to be Paid - Description	Discount Taken	Amount Paid
2004-2005 4th		138.00

ACKNOWLEDGEMENT OF RECEIPT OF CHECK/CASH

I hereby acknowledge receipt of check No. [redacted] dated 9/22/03,

or cash received on _____ in the amount of $ 138.00

from Permian Treating Chemicals, Inc.

for Tatum Facility (Facility Name) GW-215 (DP No.)

Submitted by: _____ Date: _____

Submitted to ASD by: [signature] Date: 10/1/03

Received in ASD by: _____ Date: _____

Filing Fee ___ New Facility ___ Renewal V

Modification ___ Other _____ (specify)

Organization Code 521.07 Applicable FY 2001

To be deposited in the Water Quality Management Fund.

Full Payment ___ or Annual Increment V

PERMIAN TREATING CHEMICALS, INC.
P.O. BOX 815 505/398-4111
TATUM, NM 88267

WESTERN COMMERCE BANK
TATUM, NM
95-108/1122 8

[redacted]

Memo: 5750P421A25

One Hundred Thirty-Eight and 00/100 Dollars

DATE Sep 22, 2003

AMOUNT *********$138.00

PAY TO THE ORDER OF: NMED-Water Quality Management
1220 St. Francis Drive
Santa Fe, NM 87505

Gloria Blackwell
AUTHORIZED SIGNATURE

SECURITY FEATURES INCLUDED. DETAILS ON BACK.

[redacted]

PERMIAN TREATING CHEMICALS, INC.

NMED-Water Quality Management

Check Number: 12297
Check Date: Sep 22, 2003

Check Amount: $138.00

Item to be Paid - Description	Discount Taken	Amount Paid
2003-2004		138.00

ACKNOWLEDGEMENT OF RECEIPT OF CHECK/CASH

I hereby acknowledge receipt of check No. [redacted] dated 9/5/02,
or cash received on _____ in the amount of $ 138.00
from Permian Treating Chemicals
for Tatum Facility (Facility Name) GW-215 (DP No.)
Submitted by: _____ Date: 10/21/02
Submitted to ASD by: _____ Date: _____
Received in ASD by: _____ Date: _____
Filing Fee ___ New Facility ___ Renewal ✓
Modification ___ Other _____ (specify)
Organization Code 521.07 Applicable FY 2001

To be deposited in the Water Quality Management Fund.
Full Payment ___ or Annual Increment ✓

PERMIAN TREATING CHEMICALS, INC.
P.O. BOX 815 505/398-4111
TATUM, NM 88267

WESTERN COMMERCE BANK
TATUM, NM
95-108/1122 8

[redacted]

Memo: 5750P421A25

One Hundred Thirty-Eight and 00/100 Dollars

DATE: Sep 5, 2002 AMOUNT: *********$138.00

PAY TO THE ORDER OF:
NMED-Water Quality Management
1220 St. Francis Drive
Santa Fe, NM 87505

Gloria Blackwell MP
AUTHORIZED SIGNATURE

SECURITY FEATURES INCLUDED. DETAILS ON BACK.

O & S Quik Change, Inc.

[redacted]

Check Number: 11148

PERMIAN TREATING CHEMICALS, INC.

NMED-Water Quality Management

Check Number: 11147
Check Date: Sep 5, 2002

Check Amount: $138.00

Item to be Paid - Description	Discount Taken	Amount Paid
2002-2003		138.00

ACKNOWLEDGEMENT OF RECEIPT OF CHECK/CASH

I hereby acknowledge receipt of check No [redacted] dated 9-7-01

or cash received on _____ in the amount of $ 138.00

from Permian Treating Chemicals, Inc.

for Tatum Treating Facility GW-215
(Facility Name) (DP No.)

Submitted by: _____ Date: 10-24-01

Submitted to ASD by: _____ Date: _____

Received in ASD by: _____ Date: _____

Filing Fee ___ New Facility ___ Renewal ___

Modification ___ Other _____
(specify)

Organization Code 521.07 Applicable FY 2001

To be deposited in the Water Quality Management Fund.

Full Payment ___ or Annual Increment ✓

PERMIAN TREATING CHEMICALS, INC.
P.O. BOX 815 505/398-4111
TATUM, NM 88267

WESTERN COMMERCE BANK
TATUM, NM
95-108/1122 8

[redacted]

Sep 7, 2001 (DATE) *******$138.00* (AMOUNT)

Memo: 5750P421A25

One Hundred Thirty-Eight and 0/100 Dollars

PAY TO THE ORDER OF: NMED-Water Quality Management
2040 S. Pacheco
Santa Fe, NM 87505

Gloria Blackwell
AUTHORIZED SIGNATURE

SECURITY FEATURES INCLUDED. DETAILS ON BACK.

[redacted]

PERMIAN TREATING CHEMICALS, INC.

'NMED-Water Quality Management

Check Number: 10116
Check Date: Sep 7, 2001

Check Amount: $138.00

Item to be Paid - Description	Discount Taken	Amount Paid
2001-2002		138.00

10/19/01 ltr

Gloria @ Permian

S/B Energy and Minerals - Oil Conservation

William LeMay - Director

2nd Payment

NMOCD 96c

NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

GARY E. JOHNSON
Governor
Jennifer A. Salisbury
Cabinet Secretary

Lori Wrotenbery
Director
Oil Conservation Division

September 19, 2000

sent back
10/10/00
pd 130.00
Ck #
10/10/00

CERTIFIED MAIL
RETURN RECEIPT NO. 5050 9917

Mr. Gale Blackwell
Permian Treating Chemicals, Inc.
P.O. Box 815
Tatum, New Mexico 88267

RE: Discharge Plan Renewal GW-215
Permian Treating Chemicals, Inc.
Tatum Treating Facility
Lea County, New Mexico

Dear Mr. Blackwell:

The ground water discharge plan renewal application GW-215 for the Permian Treating Chemicals, Inc. Tatum Treating Facility located in the NE/4 of Section 30, Township 12 South, Range 36 East, NMPM, Lea 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 10 working days of receipt of this letter.**

The original discharge plan application was submitted on August 25, 1995 and approved September 5, 1995. The discharge plan renewal application, dated June 2, 2000, submitted pursuant to Sections 5101.B.3. of the New Mexico Water Quality Control Commission (WQCC) Regulations also includes all earlier applications and all conditions later placed on those approvals. The discharge plan is renewed pursuant to Sections 5101.A. and 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 Permian Treating Chemicals, Inc. 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.

Oil Conservation Division * 2040 South Pacheco Street * Santa Fe, New Mexico 87505
Phone: (505) ~~827-7131~~ * Fax (505) 827-8177 * http://www.emnrd.state.nm.us

476-3440

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., Permian Treating Chemicals, Inc. 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.H.4., this renewal plan is for a period of five years. This renewal will expire on **September 5, 2005**, and Permian Treating Chemicals, Inc. 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. It should be noted that all discharge plan facilities will be required to submit the results of an underground drainage testing program as a requirement for discharge plan .

Permian Treating Chemicals, Inc. will submit a storm water run-off plan for approval by the OCD within six (6) months of the date of this approval letter for the Tatum Treating Facility facility.

The discharge plan renewal application for the Permian Treating Chemicals, Inc. Tatum Treating Facility is subject to WQCC Regulation 3114. Every billable facility submitting a discharge plan application will be assessed a fee equal to the filing fee of $50. There is a renewal flat fee assessed for oil field service company equal to one-half of the original flat fee or $690.00. The OCD has received the filing fee and the flat fee.

Please make all checks payable to: Water Management Quality Management Fund
C/o: Oil Conservation Division
2040 South Pacheco
Santa Fe, New Mexico 87505.

Permian Treating
Chemicals, Inc.
P. O. Box 815
Tatum, NM 88267

800-687-0337 - Office
505-398-4113 - Fax

Fax

To: Ramona
From: Gloria Blackwell
Fax: 505-827-2413
Pages: 3
Phone:
Date: 10/19/01
Re:
CC:

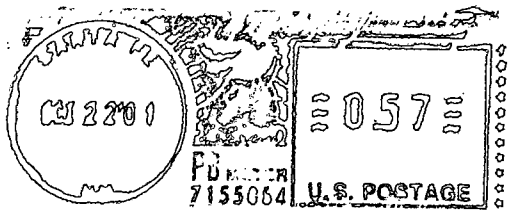
☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

1220 St. Francis
Santa Fe, NM 87505

ATTN:
Jane Prouty

23018

State of New Mexico
ENVIRONMENT DEPARTMENT
Harold Runnels Building
1190 St. Francis Drive, P.O. Box 26110
Santa Fe, New Mexico 87502



New Mexico Energy, Minerals and
Natural Resources Department
1220 St. Francis
Santa Fe, NM 87505

ATTN:
Jane Prouty

87505+4000 11

PERMIAN
Treating Chemicals, Inc.
P.O. BOX 815
TATUM, NEW MEXICO 88267

EMNRD

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PM
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2001

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10-05-01
N. MEX.

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~~Not! Groundwater~~

NMED-Water Quality Management
~~1220 St. Francis Drive~~
Sante Fe, NM 87505

Not
~~Try: Surface Water~~

Wrong Address

TO
ANGIE ALIRE
FSB

87505X4000

ACKNOWLEDGEMENT OF RECEIPT OF CHECK/CASH

I hereby acknowledge receipt of check No. [redacted] dated 10-10-2000

or cash received on _____ in the amount of $ 138.00

from Permian Treating Chemicals, Inc.

for ~~Fac~~ Tatum Facility (GW-215)
(Facility Name) (DP No.)

Submitted by: [signature] Date: 10-18-00

Submitted to ASD by: _____ Date: _____

Received in ASD by: _____ Date: _____

Filing Fee ___ New Facility ___ Renewal ✓

Modification ___ Other _____
(specify)

Organization Code 521.07 Applicable FY 2001

To be deposited in the Water Quality Management Fund.

Full Payment ___ or Annual Increment ✓

PERMIAN TREATING CHEMICALS, INC.
P.O. BOX 815 505/398-4111
TATUM, NM 88267

WESTERN COMMERCE BANK
TATUM, NM
95-108/1122 8

[redacted]

DATE Oct 10, 2000

AMOUNT *******$138.00*

PAY TO THE ORDER OF: One Hundred Thirty-Eight and 0/100 Dollars

Memo: 5750P421A25

NMED-Water Quality Management
2040 S. Pacheco
Santa Fe, NM 87505

Gloria Blackwell
AUTHORIZED SIGNATURE

SECURITY FEATURES INCLUDED, DETAILS ON BACK.

[redacted]

PERMIAN TREATING CHEMICALS, INC.

NMED-Water Quality Management

Check Number: 9156
Check Date: Oct 10, 2000

Check Amount: $138.00

Item to be Paid - Description	Discount Taken	Amount Paid
2000 - 2001		138.00

1st payment

NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

GARY E. JOHNSON
Governor
Jennifer A. Salisbury
Cabinet Secretary

Lori Wrotenbery
Director
Oil Conservation Division

September 19, 2000

CERTIFIED MAIL
RETURN RECEIPT NO. 5050 9917

Mr. Gale Blackwell
Permian Treating Chemicals, Inc.
P.O. Box 815
Tatum, New Mexico 88267

RE: Discharge Plan Renewal GW-215
Permian Treating Chemicals, Inc.
Tatum Treating Facility
Lea County, New Mexico

Dear Mr. Blackwell:

The ground water discharge plan renewal application GW-215 for the Permian Treating Chemicals, Inc. Tatum Treating Facility located in the NE/4 of Section 30, Township 12 South, Range 36 East, NMPM, Lea 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 10 working days of receipt of this letter.**

The original discharge plan application was submitted on August 25, 1995 and approved September 5, 1995. The discharge plan renewal application, dated June 2, 2000, submitted pursuant to Sections 5101.B.3. of the New Mexico Water Quality Control Commission (WQCC) Regulations also includes all earlier applications and all conditions later placed on those approvals. The discharge plan is renewed pursuant to Sections 5101.A. and 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 Permian Treating Chemicals, Inc. 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.

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., Permian Treating Chemicals, Inc. 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.H.4., this renewal plan is for a period of five years. This renewal will expire on **September 5, 2005**, and Permian Treating Chemicals, Inc. 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. It should be noted that all discharge plan facilities will be required to submit the results of an underground drainage testing program as a requirement for discharge plan .

Permian Treating Chemicals, Inc. will submit a storm water run-off plan for approval by the OCD within six (6) months of the date of this approval letter for the Tatum Treating Facility facility.

The discharge plan renewal application for the Permian Treating Chemicals, Inc. Tatum Treating Facility is subject to WQCC Regulation 3114. Every billable facility submitting a discharge plan application will be assessed a fee equal to the filing fee of $50. There is a renewal flat fee assessed for oil field service company equal to one-half of the original flat fee or $690.00. The OCD has received the filing fee and the flat fee.

Please make all checks payable to: Water Management Quality Management Fund
C/o: Oil Conservation Division
2040 South Pacheco
Santa Fe, New Mexico 87505.

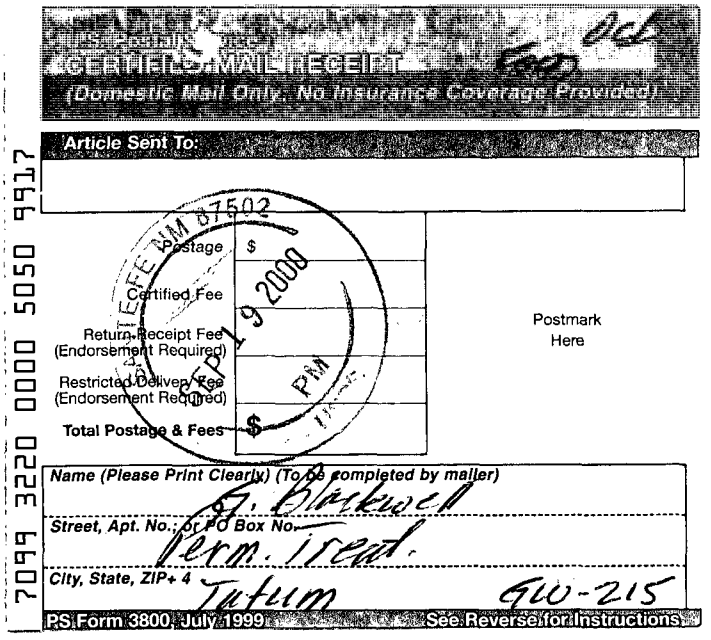
If you have any questions please contact Mr. W. Jack Ford at (505) 827-7156. On behalf of the staff of the OCD, I wish to thank you and your staff for your cooperation during this discharge plan review.

Sincerely,

Roger C. Anderson
Chief, Environmental Bureau
Oil Conservation Division

RCA/wjf
Attachment

xc: OCD Hobbs Office



ATTACHMENT TO THE DISCHARGE PLAN RENEWAL GW-215
PERMIAN TREATING CHEMICALS, INC.
TATUM TREATING FACILITY
DISCHARGE PLAN APPROVAL CONDITIONS
(September 19, 2000)

1. Payment of Discharge Plan Fees: The $50.00 filing fee has been received by the OCD. There is a required flat fee equal to one-half of the original flat fee for oil field service companies. The renewal flat fee required for this facility is $690.00 which may be paid at the time of discharge plan approval or in equal annual installments with the first installment due at the time of discharge plan approval.

2. Permian Treating Chemicals, Inc. Commitments: Permian Treating Chemicals, Inc. will abide by all commitments submitted in the discharge plan renewal application letter dated June 2, 2000 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.

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 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.

10. Underground Process/Wastewater Lines: All underground process/wastewater pipelines must be tested to demonstrate their mechanical integrity every 5 years. The permittee 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 closed unless it can be demonstrated that groundwater will not be impacted in the reasonably foreseeable future. Leach fields and other wastewater disposal systems at OCD regulated facilities which 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 Hobbs 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: The facility will have an approved storm water run-off plan.

16. Closure: The OCD will be notified when operations of the Tatum Treating Facility are discontinued for a period in excess of six months. Prior to closure of the Tatum Treating 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.

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

Accepted:

PERMIAN TREATING CHEMICALS, INC.

by_____
Title

Affidavit of Publication

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

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

That the notice which is hereto attached, entitled

Notice Of Publication

was published in a regular and entire issue of **THE LOVINGTON DAILY LEADER** and not in any supplement thereof, for one (1) day, beginning with the issue of July 19, 2000 and ending with the issue of July 19, 2000.

And that the cost of publishing said notice is the sum of $ 68.64 which sum has been (Paid) as Court Costs.

Joyce Clemens

Subscribed and sworn to before me this 19th day of July 2000.

Debbie Schilling

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

LEGAL NOTICE
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, the following discharge plan application(s) have been submitted to the Director of the Oil Conservation Division, 2040 South Pacheco, Santa Fe, New Mexico 87505, Telephone (505) 827-7131:

(GW-224)-Phillips Pipeline Company, Anthony C. Walker, 3 B10 Adams Building, Bartlesville, Oklahoma 74004, has submitted a renewal application for a discharge plan for the Buckeye Crude Station located in the SE/4 SW/4 of Section 34, Township 17 South, Range 35 East, NMPM, Lea County, New Mexico. Approximately 20,000 barrels of crude oil is stored in two above ground, closed-top steel tanks prior to transport to a refinery. Ground water most likely to be affected in the event of an accidental discharge is at a depth of approximately 234 feet with a total dissolved solids concentration of 700 mg/l. The discharge plan addresses how spills, leaks, and other accidental discharges to the surface will be managed.

(GW-215)-Permian Treating Chemicals, Inc., Gale Blackwell, Highway 380, Tatum, New Mexico 88267, has submitted a renewal application for a discharge plan for their Tatum facility located in the NE/4 of Section 30, Township 12 South, Range 36 East, NMPM, Lea County, New Mexico. All effluents that may be generated at the facility will be collected in a closed top tank and transported offsite for disposal at an OCD approved disposal facility. Ground water most likely to be affected in the event of an accidental discharge is at a depth of approximately 30 feet with a total dissolved solids concentration of approximately 712 mg/l. The discharge plan addresses how spills, leaks, and other accidental discharges to the surface will be managed.

Any interested person may obtain further information from the Oil Conservation Division and may submit written comments to the Director of the Oil Conservation Division at the address given above. The discharge plan application(s) may be viewed at the above address between 8:00 a.m. and 4:00 p.m., Monday through Friday. Prior to ruling on any proposed discharge plan application(s) the Director of the Oil Conservation Division shall allow at least thirty (30) days after the date of publication of this notice during which comments may be submitted and a public hearing may be requested by any interested person. 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 there is significant public interest.

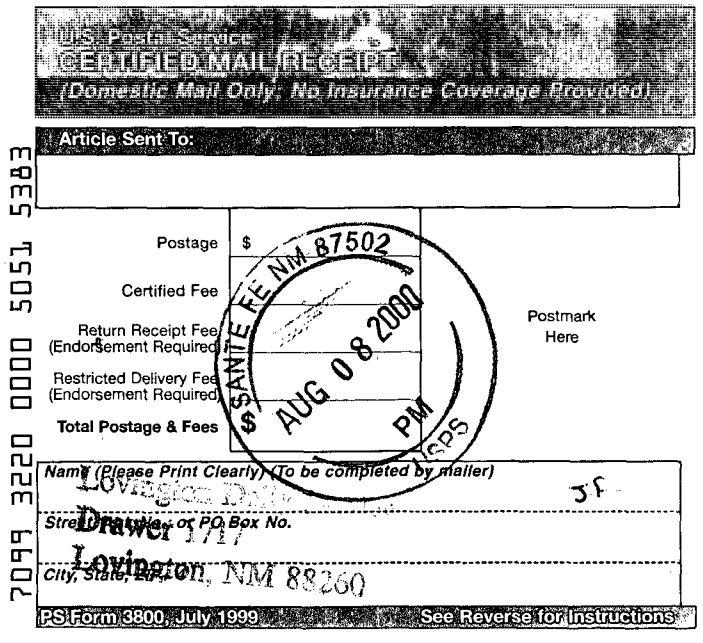
If no public hearing is held, the Director will approve or disapprove the proposed plan(s) based on information available. If a public hearing is held, the Director will approve or, disapprove the proposed plan(s) based on the information in the discharge plan application(s) and information submitted at the hearing.

GIVEN under the Seal of New Mexico Oil Conservation Commission at Santa Fe, New Mexico, on this 13th day of July, 2000.

STATE OF NEW MEXICO
OIL CONSERVATION DIVISION
LORI WROTENBERY, Director

SEAL

Published in the Lovington Daily Leader July 19, 2000.


U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)
Article Sent To:
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Certified Fee
Return Receipt Fee (Endorsement Required)
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Total Postage & Fees $
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Postmark Here
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Drawer 1717
Lovington, NM 88260
PS Form 3800, July 1999
See Reverse for Instructions
7099 3220 0000 5051 5383

THE SANTA FE
NEW MEXICAN
Founded 1849

NM OIL CONVSERVATION DIVISION
ATTN: DONNA DOMINGUEZ
2040 S. PACHECO ST.
SANTA FE, NM 87505

AD NUMBER: 160152 ACCOUNT: 56689
LEGAL NO: 67743 P.O.#: 00199000278
228 LINES 1 time(s) at $ 100.51
AFFIDAVITS: 5.25
TAX: 6.61
TOTAL: 112.37

AFFIDAVIT OF PUBLICATION

STATE OF NEW MEXICO
COUNTY OF SANTA FE
I, B Perner 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 #67743 a copy of which is hereto attached was published in said newspaper 1 day(s) between 07/19/2000 and 07/19/2000 and that the notice was published in the newspaper proper and not in any supplement; the first publication being on the 19 day of July, 2000 and that the undersigned has personal knowledge of the matter and things set forth in this affidavit.

/S/ Betsy Perner
LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 19 day of July A.D., 2000

Notary Janet L. Montoya
Commission Expires 12/30/03

OFFICIAL SEAL
Janet L. Montoya
NOTARY PUBLIC - STATE OF NEW MEXICO
MY COMMISSION EXPIRES 12/30/03

NOTICE OF PUBLICATION

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

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(GW-215) - Permian Treating Chemicals, Inc., Gale Blackwell, Highway 380, Tatum, New Mexico 88267, has submitted a renewal application for a discharge plan for their Tatum facility located in the NE/4 of Section 30, Township 12 South, Range 36 East, NMPM, Lea County, New Mexico. All effluents that may be generated at the facility will be collected in a closed top tank and transported offsite for disposal at an OCD approved disposal facility. Ground water most likely to be affected in the event of an accidental discharge is at a depth of approximately 30 feet with a total dissolved solids concentration of approximately 712 mg/l. The discharge plan addresses how spills, leaks, and other accidental discharges to the surface will be managed.

Any interested person may obtain further information from the Oil Conservation Division and may submit written comments to the Director of the Oil Conservation Division at the address given above. The discharge plan applications may be viewed at the above address between 8:00 a.m. and 4:00 p.m., Monday through Friday. Prior to ruling on any proposed discharge plan or its modification, the Director of the Oil Conservation Division shall allow at least thirty (30) days after the date of publication of this notice during which comments may be submitted to him and a public hearing may be requested by any interested person. 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 there is significant public interest.

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

GIVEN under the Seal of New Mexico Oil Conservation Commission at Santa Fe, New Mexico, on this 13th day of July, 2000.

STATE OF NEW MEXICO
OIL CONSERVATION
DIVISION
LORI WROTENBERY,
Director

Legal #67743
Pub. July 19, 2000

NOTICE OF PUBLICATION

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

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

GIVEN under the Seal of New Mexico Oil Conservation Commission at Santa Fe, New Mexico, on this 13th day of July, 2000.

STATE OF NEW MEXICO
OIL CONSERVATION DIVISION

SEAL

LORI WROTENBERY, Director

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

State of New Mexico
Energy Minerals and Natural Resources

Oil Conservation Division
2040 South Pacheco
Santa Fe, NM 87505

Revised March 17, 1999

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

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

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

☐ New ☒ Renewal ☐ Modification

1. Type: **Service Company**
2. Operator: **Permian Treating Chemicals, Inc.**

   Address: **Hwy 380, Tatum New Mexico, 88267**

   Contact Person: **Gale Blackwell** Phone: (505) 398-4111

3. Location: **NE** /4 _____ /4 Section **30** Township **12** Range **36**

   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: **Gale Blackwell** Title: **Owner**

Signature: Gale Blackwell Date: **6/2/00**

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

State of New Mexico
Energy Minerals and Natural Resources

Oil Conservation Division
2040 South Pacheco
Santa Fe, NM 87505

Revised March 17, 1999

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

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

☐ New ☒ Renewal ☐ Modification

1. Type: **Service Company**
2. Operator: **Permian Treating Chemicals, Inc.**

   Address: **Hwy 380, Tatum New Mexico, 88267**

   Contact Person: **Gale Blackwell** Phone: (505) 398-4111
3. Location: **NE** /4 _____ /4 Section **30** Township **12** Range **36**

   Submit large scale topographic map showing exact location.
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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: **Gale Blackwell** Title: **Owner**

Signature: Gale Blackwell Date: **6/2/00**

ACKNOWLEDGEMENT OF RECEIPT OF CHECK/CASH

I hereby acknowledge receipt of check No. [redacted] dated 6-12-00,

or cash received on _____ in the amount of $ 50.00

from Permian Treating Chemicals

for Tatum Facility GW-215

(Facility Name) (DP No.)

Submitted by: [signature] Date: 6-16-00

Submitted to ASD by: _____ Date: _____

Received in ASD by: _____ Date: _____

Filing Fee ✓ New Facility ___ Renewal ✓

Modification ___ Other _____

(specify)

Organization Code 521.07 Applicable FY 2000

To be deposited in the Water Quality Management Fund.

Full Payment ✓ or Annual Increment ___

PERMIAN TREATING CHEMICALS, INC.
P.O. BOX 815 505/398-4111
TATUM, NM 88267

WESTERN COMMERCE BANK
TATUM, NM
95-108/1122 8

[redacted]

DATE Jun 12, 2000 AMOUNT ********$50.00*

PAY TO THE ORDER OF: Fifty and 0/100 Dollars

Memo: 5750P421A25

NMED-Water Quality Management
2040 S. Pacheco
Santa Fe, NM 87505

Gloria Blackwell
AUTHORIZED SIGNATURE

[redacted]

PERMIAN TREATING CHEMICALS, INC.

NMED-Water Quality Management

Check Number: 8808
Check Date: Jun 12, 2000

Check Amount: $50.00

Item to be Paid - Description	Discount Taken	Amount Paid
Renewal		50.00

NEW MEXICO ENERGY, MINERALS
& NATURAL RESOURCES DEPARTMENT

Jennifer A. Salisbury
CABINET SECRETARY

Oil Conservation Div.
Environmental Bureau
2040 S. Pacheco
Santa Fe, NM 87505

March 13, 2000

CERTIFIED MAIL
RETURN RECEIPT NO. 5050 9320

Mr. Gale Blackwell
Permian Treating Chemicals Inc.
P.O. Box 815
Tatum, New Mexico 88267

RE: Discharge Plan Renewal Notice for Permian Treating Chemicals Inc. Facility

Dear Mr. Blackwell:

Permian Treating Chemicals Inc. has the following discharge plan which expires during the current calendar year.

GW-215 expires 9/5/2000 – Tatum Facility

WQCC 3106.F. If the holder of an approved discharge plan submits an application for discharge plan renewal at least 120 days before the discharge plan expires, and the discharger is not in violation of the approved discharge plan on the date of its expiration, then the existing approved discharge plan for the same activity shall not expire until the application for renewal has been approved or disapproved. A discharge plan continued under this provision remains fully effective and enforceable. An application for discharge plan renewal must include and adequately address all of the information necessary for evaluation of a new discharge plan. Previously submitted materials may be included by reference provided they are current, readily available to the secretary and sufficiently identified to be retrieved. [12-1-95]

The discharge plan renewal application for each of the above facilities is subject to WQCC Regulation 3114. Every billable facility submitting a discharge plan renewal will be assessed a fee equal to the filing fee of $50.00 plus a flat fee equal to one-half of the original flat fee for oil field service company facilities. The $50.00 filing fee is to be submitted with the discharge plan renewal applications and are nonrefundable.

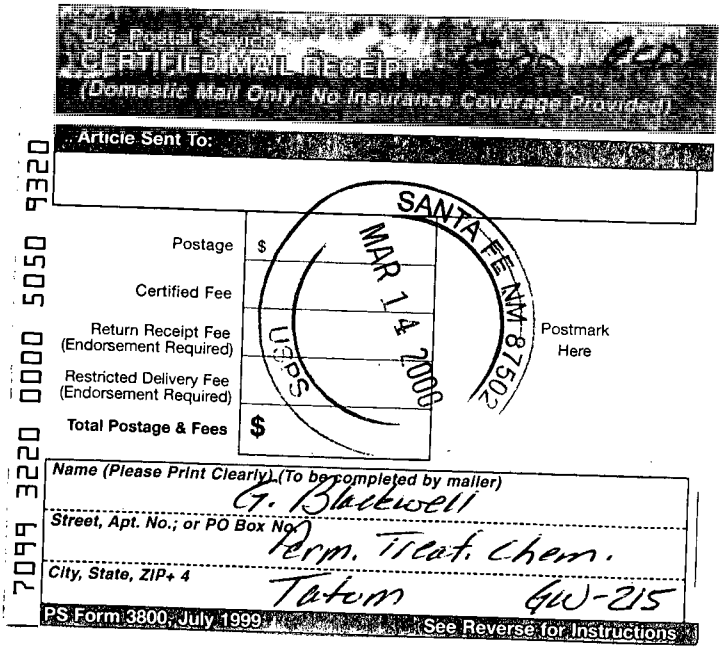
Please make all checks payable to: **NMED-Water Quality Management** and addressed to the OCD Santa Fe Office. Please submit the original discharge plan renewal application and one copy to the OCD Santa Fe Office and one copy to the OCD Hobbs District Office. **Note that the completed and signed application form must be submitted with your discharge plan renewal request.** (A copy of the discharge plan application form is enclosed to aid you in preparing the renewal application. A complete copy of the regulations is available on OCD's website at **www.emnrd.state.nm.us/ocd/**).

If the above sited facility no longer has any actual or potential discharges and a discharge plan is not needed, please notify this office. If the Permian Treating Chemicals Inc. has any questions, please do not hesitate to contact me at (505) 827-7152.

Sincerely,

Roger C. Anderson
Oil Conservation Division

cc: OCD Hobbs District Office



ACKNOWLEDGEMENT OF RECEIPT OF CHECK/CASH

I hereby acknowledge receipt of check No. [redacted] dated 9-16-99,

or cash received on _____ in the amount of $ 276.00

from Permian Treating Chemicals, Inc.

for Tatum Service GW-215
(Facility Name) (DP No.)

Submitted by: _____ Date: 9-29-99

Submitted to ASD by: _____ Date: _____

Received in ASD by: _____ Date: _____

Filing Fee ___ New Facility ___ Renewal ___

Modification ___ Other _____
(specify)

Organization Code 521.07 Applicable FY 2000

To be deposited in the Water Quality Management Fund.

Full Payment ___ or Annual Increment ✓

PERMIAN TREATING CHEMICALS, INC.
P.O. BOX 815 505/398-4111
TATUM, NM 88267

WESTERN COMMERCE BANK
TATUM, NM
95-108/1122 8

[redacted]

DATE Sep 16, 1999

AMOUNT *******$276.00*

PAY TO THE ORDER OF: Two Hundred Seventy-Six and 0/100 Dollars

Memo: 5750P421A25

NMED-Water Quality Management
2040 S. Pacheco
Santa Fe, NM 87505

Gloria Blackwell
AUTHORIZED SIGNATURE

[redacted] SECURITY FEATURES INCLUDED. DETAILS ON BACK

ACKNOWLEDGEMENT OF RECEIPT OF CHECK/CASE

I hereby acknowledge receipt of check No. [redacted] dated 10/13/97

or cash received on _____ in the amount of $ 276.00

from Permian Treating Chemicals

for Tatum Facility (Facility Name) GW-215 (OP No.)

Submitted by: _____ Date: _____

Submitted to ASD by: RC Anderson Date: 10/20/97

Received in ASD by: _____ Date: _____

Filing Fee ___ New Facility X Renewal ___

Modification ___ Other _____ (specify)

Organization Code 521.07 Applicable FY 98

To be deposited in the Water Quality Management Fund.

Full Payment ___ or Annual Increment ___

3 of 5

PERMIAN TREATING CHEMICALS, INC.
P.O. BOX 815 505/398-4111
TATUM, NM 88267

WESTERN COMMERCE BANK
TATUM, NM
95-108/1122 8

[redacted]

DATE Oct 13, 1997 AMOUNT *******$276.00*

Memo: 5750P421A25

PAY TO THE ORDER OF: Two Hundred Seventy-Six and 0/100 Dollars

NMED-Water Quality Management
2040 S. Pacheco
Santa Fe, NM 87505

Gloria Blackwell
AUTHORIZED SIGNATURE

[redacted]

PERMIAN TREATING CHEMICALS, INC.

NMED-Water Quality Management

Check Number: 6176
Check Date: Oct 13, 1997

Check Amount: $276.00

Item to be Paid - Description	Discount Taken	Amount Paid
Sept 3, 1997 Waste Discharge Plan GW-215 Third 3rd payment of 5		276.00

ACKNOWLEDGEMENT OF RECEIPT OF CHECK/CASH

I hereby acknowledge receipt of check No. [redacted] dated 9/3/96,

or cash received on _____ in the amount of $ 276.00

from Permian treating

for Tatum GW-215
(Facility Name) (DP No.)

Submitted by: _____ Date: _____

Submitted to ASD by: RA Date: 10/18/96

Received in ASD by: RKad Date: 10/23/96

Filing Fee ___ New Facility X Renewal ___

Modification ___ Other _____
(specify)

Organization Code 521.07 Applicable FY 97

To be deposited in the Water Quality Management Fund.

Full Payment ___ or Annual Increment X

2 of 5

PERMIAN TREATING CHEMICALS, INC.
BOX 815 505/398-4111
TATUM, NM 88267

Western Commerce Bank
Tatum, NM

$ _____
$ _____

[redacted]

9/3 19 96

95-108/1122
8

PAY PERMIAN TRTNG CHEMICALS INC. 276 DOLS 00 CTS DOLLARS $ *276.00*

TO THE ORDER OF NMED-Water Quality Management

[redacted]

Gloria Blackwell

PERMIAN TREATING CHEMICALS, INC.
TATUM, NM 88267

DETACH AND RETAIN THIS STATEMENT
THE ATTACHED CHECK IS IN PAYMENT OF ITEMS DESCRIBED BELOW
IF NOT CORRECT, PLEASE NOTIFY US PROMPTLY. NO RECEIPT DESIRED

DATE	DESCRIPTION	AMOUNT
9/3/96	Waste Discharge Plan - GW-215 Second Installment of Five Balance 828.00	276.00

A2

ACKNOWLEDGEMENT OF RECEIPT OF CHECK/CASH

I hereby acknowledge receipt of check No. [redacted] dated 9/7/95,
or cash received on 9/12/95 in the amount of $ 276.00
from Permian Treating Chemicals
for Tatum Service Facility (Facility Name) GW-215 (DP No.)
Submitted by: _____ Date: _____
Submitted to ASD by: Roger Anderson Date: 9/13/95
Received in ASD by: Angie Dinn Date: 9/13/95

Filing Fee ___ New Facility X Renewal ___
Modification ___ Other _____ (specify)

Organization Code 521.07 Applicable FY 96

To be deposited in the Water Quality Management Fund.

Full Payment ___ or Annual Increment X

1 of 5

[redacted]

WESTERN COMMERCE BANK
TATUM, NM
95-108/1122 8

PERMIAN TREATING CHEMICALS, INC.
P.O. BOX 815 505/398-4111
TATUM, NM 88267

PERMIAN TRTNG CHEMICALS INC. 276 DOLS 00 CTS

DATE	AMOUNT
9-7-95	**$276.00**

PAY TO THE ORDER OF: NMED WATER QUALITY MANAGEMENT

Gloria Blackwell

[redacted]

PERMIAN TREATING CHEMICALS, INC.

9/7/95	Waste Discharge Plan GW-215 First Installment of Five Balance $1104.00	$276.00

MEMORANDUM OF MEETING OR CONVERSATION

X TELEPHONE ___ PERSONAL TIME 11:15 (AM)/PM DATE 9/15/95

ORIGINATING PARTY: Pat Sanchez OCD
OTHER PARTIES: WADE - Actim Safety.

SUBJECT: GW-215

DISCUSSION: Ask about tanks - they are Fiber glass. Also discussed Loading Dock.

Discussed Sampling - Once over the Five year life of the Plan.

CONCLUSIONS/AGREEMENTS: will issue permit - Today Hopefully and will Address sampling of Rain water.

PATRICIO W. SANCHEZ: Patricio W. Sanchez

xc: FILE,

Pat Sanchez

From: Wayne Price
To: Roger Anderson; Pat Sanchez
Cc: Wayne Price; Jerry Sexton
Subject: Permian Treating Chemical GW-215 Review
Date: Thursday, August 31, 1995 9:50AM
Priority: High

Item 6. Rainwater:

I recommend that if the rainfall event is non-significate and does not interfere with the operations of the facility or the temparary storage of it in the secondary containment devices could not impact groundwater, then they should be allowed to let natural evaporation take place; Otherwise sample and dispose of properely.

8/15/95 -
Discussed w/ RCA, & Bureau Staff
- test for WQCC/ 40 CFR 261
One time test every Five years —
If below level can discharge onto the ground.
- Also if tank bottom is on a raised pad above water level - it can be evaporated. *

i.e.

* Level considered because of corrosion.

OIL CONSERVATION DIVISION

July 27, 1995

CERTIFIED MAIL
RETURN RECEIPT NO. Z-765-963-098

Mr. Gale Blackwell
Owner
Permian Treating Chemicals Inc.
P.O. Box 815
Tatum, NM 88267

RE: Discharge Plan GW-215
Permian Treating Chemicals Inc., Tatum facility
Lea County, New Mexico

Dear Mr. Blackwell:

The NMOCD has received the proposed Permian Treating Chemicals Inc. discharge plan application for the facility located in NE/4, Section 30, Township 12 South, Range 36 East, NMPM, Lea County, New Mexico. The NMOCD has prepared and sent out the public notice for the Permian Treating facility as stated in WQCC section 3-108 and has performed a preliminary review of the discharge plan proposed by Permian Treating as received by the OCD on July 21, 1995.

The following comments and request for additional information are based on the review of the Permian Treating application. **Please note that unless otherwise stated, response to all comments shall be received and reviewed by the OCD prior to approval of the discharge plan application.**

Refer to the application package as submitted by Permian Treating Chemicals Inc. received July 21, 1995 by the NMOCD .

A. The application page was not submitted with the discharge plan, attached you will find three application forms for Mr. Gale Blackwells signature - submit one to Santa Fe, one to Hobbs, and keep one for the Permian Treating Chemicals Inc. file.

B. UNDER ITEM V. Facility Description.

1. What will happen to rainwater inside of containments in the event it does not evaporate?

2. What will happen to chemicals that are spilled and cannot be recycled?

3. All empty drums shall be stored on an impermeable type pad/curb containment on their side with the bungs in place and horizontal to the ground.

4. Who is the drum recycler? What will happen to the triple rinse water?

5. Blend Plant. It was noted by the NMOCD inspectors that spill sorbent had been used within the confines of the blend plant secondary containment - What is the final destination of this used spill sorbent? The outdoor loading dock was noted to contain a large quantity of spill sorbent underneath it on the concrete pad - what is the final destination of this waste?

C. UNDER ITEM VII. Wastes.

1. Truck tank or drum washing. Explain in detail how the drum rinsate will be recycled, using rinsate as flush is considered waste disposal and shall not be allowed. A possible alternative is to use the drum rinsate as blending water in the blending area.

2. Provide a description of the recycling process for your chemicals.

3. Other waste solids. Very few if any of the wastes generated by your facility would be considered exempt from RCRA regulations - enclosed you will find several informational supplements that should help you in handling and classifying your wastes.

D. UNDER ITEM VIII. Description of current liquid solid waste collection/storage/disposal procedures.

1. Clarify rainwater handling and recycling of spilled chemicals - describe the "annular cleaning of offsite injection wells?"

2. When you do dispose of accumulated waste(s), Permian Treating Chemicals Inc. shall receive NMOCD approval for disposal and testing of these accumulated wastes. NOTE: If your wastes are hazardous you must also notify the NMED HRMB for guidance.

E. UNDER ITEM IX. Proposed Modifications.

1. Permian Treating Chemicals needs to propose a time frame to install an

impermeable type pad/curb containment for empty drum storage.

F. UNDER ITEM X. Inspection Maintenance and Reporting.

1. Enclosed to be included in the Permian Treating Chemicals Inc. discharge plan you will find OCD Rule 116 and WQCC 1-203.

2. In the event of a spill that should be reported according to Rule 116 and WQCC 1-203 call the Hobbs office at 393-6161.

3. Be careful with waste storage - especially those that may be hazardous under RCRA - consult with NMOCD or NMED HRMB if you any questions.

G. UNDER ITEM XIII. Compliance.

1. Include the enclosed items labelled XIII. A and XIII. B. as part of the discharge plan.

Submittal of the requested information and commitments in a timely fashion will expedite the final review of the application and approval of the discharge plan. Submit the information in three copies - two to Santa Fe, and one copy to Hobbs.

If you have any questions, please feel free to call me at (505)-827-7156.

Sincerely,

Patricio W. Sanchez
Petroleum Engineer

xc: Mr. Wayne Price-Environmental Engineer

United States
Environmental Protection
Agency

EPA530-K-95-003
May 1995

Solid Waste and Emergency Response (5305)

EPA

Crude Oil and Natural Gas Exploration and Production Wastes: Exemption from RCRA Subtitle C Regulation

impact on any small entities affected. Moreover, due to the nature of the federal-state relationship under the CAA, preparation of a regulatory flexibility analysis would constitute Federal inquiry into the economic reasonableness of state action. The CAA forbids EPA to base its actions concerning SIPs on such grounds. *Union Electric Co.* v. *U.S.E.P.A.*, 427 U.S. 246, 256–66 (S. Ct. 1976); 42 U.S.C. 7410(a)(2).

This action has been classified as a Table 3 action by the Regional Administrator under the procedures published in the **Federal Register** on January 19, 1989 (54 FR 2214–2225). On January 6, 1989, the Office of Management and Budget waived Table 2 and Table 3 SIP revisions (54 FR 2222) from the requirements of section 3 of Executive Order 12291 for a period of two years. EPA has submitted a request for a permanent waiver for Table 2 and Table 3 SIP revisions. OMB has agreed to continue the temporary waiver until such time as it rules on EPA's request.

List of Subjects in 40 CFR Part 52

Air pollution control, Hydrocarbons, Incorporation by reference, Intergovernmental relations, Ozone, Reporting and recordkeeping requirements.

Dated: February 12, 1993.

John C. Wise,

Acting Regional Administrator.

Part 52, chapter I, title 40 of the Code of Federal Regulations is amended as follows:

PART 52—[AMENDED]

1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401–7671q.

Subpart F—California

2. Section 52.220 is amended by adding paragraph (c)(187)(i)(A)(*2*) to read as follows:

§ 52.220 Identification of plan.

* * * * *

(c) * * *

(187) * * *

(i) * * *

(A) * * *

(2) Rule 460.2, adopted on September 19, 1992.

[FR Doc. 93–6454 Filed 3–19–93; 8:45 am]

BILLING CODE 6560–50–M

40 CFR Part 261

[FRL–4606–6]

Clarification of the Regulatory Determination for Wastes From the Exploration, Development and Production of Crude Oil, Natural Gas and Geothermal Energy

AGENCY: Environmental Protection Agency.

ACTION: Clarification.

SUMMARY: This document provides additional clarification of the Resource Conservation and Recovery Act (RCRA) *Regulatory Determination for Oil and Gas and Geothermal Exploration, Development and Production Wastes* dated June 29, 1988 (53 FR 25446; July 6, 1988). This document clarifies the regulatory status of wastes generated by the crude oil reclamation industry, service companies, gas plants and feeder pipelines, and crude oil pipelines. Since this document only further clarifies the status of these wastes under the RCRA Subtitle C hazardous waste exemption discussed in EPA's 1988 Regulatory Determination, and does not alter the scope of the current exemption in any way, comments are not being solicited by the Agency on this notice.

FOR FURTHER INFORMATION CONTACT: For general information on the scope of the RCRA Subtitle C exemption for wastes from the exploration, development and production of crude oil, natural gas and geothermal energy, contact the RCRA/Superfund hotline at (800) 424–9346 (toll free) or (703) 412–9810. For technical information, contact Mike Fitzpatrick, U.S. Environmental Protection Agency OS–323W, 401 M Street, SW., Washington, DC 20460; phone (703) 308–8411.

SUPPLEMENTARY INFORMATION:

Table of Contents

I. Introduction

In the Solid Waste Disposal Act Amendments of 1980 (Pub. L. 94–580), Congress amended the Resource Conservation and Recovery Act (RCRA) to add sections 3001 (b)(2)(A), and 8002(m). Section 3001(b)(2)(A) exempted drilling fluids, produced waters, and other wastes associated with exploration, development, and production of crude oil, natural gas and geothermal energy from regulation as hazardous wastes. Section 8002(m) required the Administrator to complete a Report to Congress on these wastes and provide an opportunity for public comment. The Administrator was also required by section 3001 (b)(2)(A) to make a determination no later than six months after completing the Report to Congress as to whether hazardous waste regulations under RCRA Subtitle C were warranted for these wastes.

EPA's Report to Congress was transmitted to Congress on December 28, 1987. In the process of preparing the Report to Congress, the Agency found it necessary to define the scope of the exemption for the purpose of determining which wastes were considered "wastes from the exploration, development or production of crude oil, natural gas or geothermal energy." Based upon statutory language and legislative history, the Report to Congress identified several criteria used in making such a determination. In particular, for a waste to be exempt from regulation as hazardous waste under RCRA Subtitle C, it must be associated with operations to locate or remove oil or gas from the ground or to remove impurities from such substances and it must be intrinsic to and uniquely associated with oil and gas exploration, development or production operations (commonly referred to simply as exploration and production or E&P); the waste must not be generated by transportation or manufacturing operations.

Transportation of oil and gas can be for short or long distances. For crude oil, "transportation" is defined in the Report to Congress and the subsequent Regulatory Determination as beginning after transfer of legal custody of the oil from the producer to a carrier (i.e., pipeline or trucking concern) for transport to a refinery or, in the absence of custody transfer, after the initial separation of the oil and water at the primary field site. For natural gas, "transportation" is defined as beginning after dehydration and purification at a gas plant, but prior to transport to market. To accurately determine the scope of the exemption, the reader is referred to the December 28, 1987, Report to Congress, Management of Wastes from the Exploration, Development, and Production of Crude Oil, Natural Gas, and Geothermal Energy (NTIS # PB88–146212) for the specific application of the criteria.

The Agency's Regulatory Determination was published in the **Federal Register** on July 6, 1988 (53 FR

25446). The Regulatory Determination included a list of example wastes that generally are exempt and a list of example wastes that generally are not exempt. Neither of these lists was intended to be a complete itemization of all possible exempt or non-exempt wastes. Also, because definitions of the terms used in these lists vary, the criteria identified in the Report to Congress remain the authoritative source for determining the scope of the exemption. The reader is referred to the July 6, 1988, notice for detailed background on all aspects of the Regulatory Determination.

Since 1987, the terms uniquely associated and intrinsic have been used as interchangeable synonyms in various documents in reference to oil and gas wastes qualifying for the exemption from Subtitle C regulation. (For simplicity's sake, when referring to exempt wastes, this notice combines the use of these two terms into the single term uniquely associated.) A simple rule of thumb for determining the scope of the exemption is whether the waste in question has come from down-hole (i.e., brought to the surface during oil and gas E&P operations) or has otherwise been generated by contact with the oil and gas production stream during the removal of produced water or other contaminants from the product (e.g., waste demulsifiers, spent iron sponge). If the answer to either question is yes, the waste is most likely considered exempt.

Since the Agency's Regulatory Determination, numerous requests have been received for determination, on a site-specific basis, of the regulatory status of wastes not itemized in the Regulatory Determination's list of examples. Many of these requests have dealt with broad categories of similar wastes (e.g., crude oil reclaimer wastes, service company wastes, pipeline wastes). Today's notice responds to the many requests for clarification of the scope of the exemption.

II. Clarification of the Scope of the Oil and Gas Exemption

A. Crude Oil Reclamation Industry

The crude oil reclamation industry recovers marketable crude oil and other hydrocarbons from produced water, crude oil tank bottoms and other oily wastes that are generated by the production of crude oil and natural gas. In general, the marketable crude oil is recovered from the waste materials by simple thermal and/or physical processes (e.g., heat and gravity separation). Occasionally, demulsifiers may be added to produced waters from which crude oil cannot be separated with heat and settling time alone. The typical residual materials left after removal of the crude oil by the reclaimers are also produced water and tank bottom solids. These residuals will often exhibit the same characteristics as the parent waste, although the concentrations of some constituents may vary from those in the parent.

In September 1990, the crude oil reclamation industry requested that the Agency provide an interpretation of the language in the 1988 Regulatory Determination pertaining to RCRA Subtitle C coverage of wastes from crude oil and tank bottom reclaimers. (The list of "non-exempt" wastes in the Regulatory Determination included "liquid and solid wastes generated by crude oil and tank bottom reclaimers.") In particular, they requested that EPA clarify whether any wastes generated by crude oil reclaimers are included within the oil and gas exemption, particularly those originating from the crude oil itself, such as produced water and the other extraneous materials in crude oil, otherwise known as basic sediment and water (BS&W).

In April 1991, the Agency responded to the request with a letter that included broad guidance on the status of wastes from the crude oil reclamation industry. (A copy of the letter is included in the docket to this notice.) EPA explained that the inclusion of "liquid and solid wastes" from crude oil reclamation on the list of non-exempt wastes contained in the Regulatory Determination was intended to refer only to those non-E&P wastes generated by reclaimers (e.g., waste solvents from cleaning reclaimers' equipment) and was not intended to refer to wastes remaining from the treatment of exempt wastes originally generated by the exploration, development or production of crude oil or natural gas.

EPA's basis for this position is several-fold. First, the Agency has consistently taken the position that wastes derived from the treatment of an exempt waste, including any recovery of product from an exempt waste, generally remain exempt from the requirements of RCRA Subtitle C. Treatment of, or product recovery from, E&P exempt wastes prior to disposal does not negate the exemption. [The same principle applies to exempt mining and mineral processing wastes. See, 54 FR at 36621 (Sept. 1, 1989).] For example, waste residuals (e.g., BS&W) from the on-site or off-site process of recovering crude oil from tank bottoms obtained from crude oil storage facilities at primary field operations (i.e., operations at or near the wellhead) are exempt from RCRA Subtitle C because the crude oil storage tank bottoms at primary field operations are exempt. In effect, reclaimers are conducting a specialized form of waste treatment in which valuable product is recovered and removed from waste uniquely associated with E&P operations. In addition, in many cases, product recovery or treatment reduces the volume and overall toxicity of the waste and thereby contributes to the Agency's policy and goals for waste minimization and treatment of waste prior to disposal.

EPA further notes that the off-site transport of exempt waste from a primary field site for treatment, reclamation, or disposal does not negate the exemption. The change of custody criterion (which is discussed in the Report to Congress) for the purpose of defining transportation refers to the transport of product (crude oil, natural gas) and does not apply to exempt wastes moving off-site for treatment or disposal since these wastes were generated by the exploration, development or production operations and not by the transportation process. Thus, the off-site transport and/or sale of exempt oil-field wastes to crude oil reclaimers for treatment does not terminate the exempt status either of the wastes or the residuals from a reclamation process applied to these wastes.

However, there are solid and liquid wastes from reclamation operations that are not exempt from RCRA Subtitle C. These are wastes which the Agency intended to refer to in its example within the 1988 Regulatory Determination. Generally, these reclaimer wastes are derived from non-exempt oilfield wastes or otherwise contain materials that are not uniquely associated with exploration, development or production operations. An example would be waste solvents generated from the solvent cleaning of tank trucks that are used to transport oilfield tank bottoms. Such wastes would not be exempt from Subtitle C because the use of cleaning solvents is not uniquely associated with the production of crude oil.

Generally, crude oil reclaimer wastes that are derived from exempt oilfield wastes (e.g., produced water, BS&W) are not subject to the Subtitle C waste management requirements of RCRA. Such wastes, however, remain subject to any applicable state solid waste management requirements. Moreover, this exemption from RCRA Subtitle C requirements may not apply if the crude oil reclaimer wastes are combined with other wastes that are subject to RCRA Subtitle C requirements.

B. Service Companies

Oil and gas service companies are those companies hired by the principal operating company to, among other things, supply materials for use at a drilling or production site or provide a service to be performed. Some of the activities of service companies take place on-site while others may take place off-site. Examples of the types of activities that may take place off-site are product formulation, transport of materials, laboratory analysis, and waste handling and disposal.

The 1988 Regulatory Determination stated that "oil and gas service company wastes, such as empty drums, drum rinsate, vacuum truck rinsate, sandblast media, painting wastes, spent solvents, spilled chemicals, and waste acids" are not covered by the oil and gas E&P exemption. The Agency intended this statement to identify those wastes, including unused and discarded product materials, generated by service companies that are not uniquely associated with primary field operations. (Primary field operations occur at or near the wellhead or gas plant and include only those operations necessary to locate and recover oil and gas from the ground and to remove impurities.) Similar to the reference to crude oil reclamation wastes, the Agency did not intend to imply that under no circumstances will a service company ever generate a RCRA Subtitle C-exempt waste. For example, if a service company generates spent acid returns from a well work-over, the waste is exempt since the waste acid in this case came from down-hole and was part of primary field operations.

EPA is aware that some confusion exists in various segments of the industry with regard to the scope of the exemption from RCRA Subtitle C for solid wastes not uniquely associated with oil and gas exploration and production. One common belief is that any wastes generated by, in support of, or intended for use by the oil and gas E&P industry (including most service company wastes) are exempt. This is not the case; in fact, only wastes generated by activities uniquely associated with the exploration, development or production of crude oil or natural gas at primary field operations (i.e., wastes from down-hole or wastes that have otherwise been generated by contact with the production stream during the removal of produced water or other contaminants from the product) are exempt from regulation under RCRA Subtitle C regardless of whether they are generated on-site by a service company or by the principal operator. In other words, wastes generated by a service company (e.g., unused frac or stimulation fluids and waste products) that do not meet the basic criteria listed in the Report to Congress (i.e., are not uniquely associated with oil and gas E&P operations) are not exempt from Subtitle C under the oil and gas exemption, just as wastes generated by a principal operator that do not meet these criteria are not exempt from coverage by RCRA Subtitle C.

The 1988 Regulatory Determination also stated that "vacuum truck and drum rinsate from trucks and drums transporting or containing non-exempt waste" is not included within the exemption (emphasis added). The unstated corollary to this is that vacuum truck and drum rinsate from trucks and drums transporting or containing exempt wastes is exempt, provided that the trucks or drums only contain E&P-related exempt wastes and that the water or fluid used in the rinsing is not subject to RCRA Subtitle C (i.e., is itself non-hazardous). This is consistent with the general policy principle that certain wastes derived exclusively from RCRA Subtitle C-exempt wastes remain exempt from RCRA Subtitle C.

C. Crude Oil Pipelines

Crude oil is produced from the ground through a system of one or more wells in an oilfield. The oil and any related produced water typically is directed to a series of tanks known as a tank battery where the water and oil separate naturally due to gravity; sometimes, separation is enhanced by the use of heat. Most water is separated from the oil at the tank battery. The volume of oil produced is then metered prior to a change in custody or ownership of the oil and/or its transportation off-site.

In the case of crude oil, all production-related activities occur as part of primary field operations at or near the wellhead. Wastes generated as part of the process of transporting products away from primary field operations are not exempt. Generally, for crude oil production, a custody transfer of the oil (i.e., the product) or, in the absence of custody transfer, the end point of initial product separation of the oil and water, will define the end point of primary field operations and the beginning of transportation. Only wastes generated before the end point of primary field operations are exempt. In this context, the term end point of initial product separation means the point at which crude oil leaves the last vessel, including the stock tank, in the tank battery associated with the well or wells. The purpose of the tank battery is to separate the crude oil from the produced water and/or gas. The movement of crude oil by pipeline or other means after the point of custody transfer or initial product separation is not part of primary field operations.

Therefore, any waste generated by the transportation or handling of the crude oil (product) after custody transfer or, in the absence of custody transfer, after the end point of initial product separation of the oil and water, is not within the scope of the exemption. Examples of non-exempt wastes resulting from transportation include transportation pipeline pigging wastes, contaminated water and snow resulting from spills from transportation pipelines or other forms of transport of the product, and soils contaminated from such spills. It should be noted that the hydrocarbon-bearing soils identified in the 1987 Report to Congress and listed in the 1988 Regulatory Determination as being exempt are limited to those hydrocarbon-bearing soils that occur at oil or gas E&P sites or result from spills of exempt waste. As discussed above, the exempt status of wastes generated by primary field operations and transported off-site for treatment or disposal is not affected by custody transfer.

D. Gas Plants and Feeder Pipelines

Natural gas is produced from the ground through a system of one or more wells in a gas field. Some water may be separated from the gas at the wellhead, but due to economy of scale, the gas from several wells is generally commingled and sent to a central gas plant where additional water and other impurities are removed. The ownership, or custody, of the natural gas commonly changes hands between the wellhead and the gas plant, yet the removal of impurities from the gas at a gas plant is still a necessary part of the production process for natural gas.

For natural gas, primary field operations (as defined in the 1987 Report to Congress) include those production-related activities at or near the wellhead and at the gas plant (regardless of whether or not the gas plant is at or near the wellhead) but prior to transport of the natural gas from the gas plant to market. Because the movement of the natural gas between the wellhead and the gas plant is considered a necessary part of the production operation, uniquely associated wastes derived from the production stream along the gas plant feeder pipelines (e.g., produced water, gas condensate) are considered exempt wastes, even if a change of custody of the natural gas has occurred between

the wellhead and the gas plant. Some wastes generated at this production stage may not be uniquely associated with the natural gas production stream and are, therefore, not exempt (e.g., pump lube oil, waste mercury from meters and gauges). Similarly, soils contaminated by spills of wastes that are not uniquely associated with production operations, such as soils contaminated by mercury from gauges, are not exempt wastes.

Wastes generated at compressor stations and facilities located along the transportation and distribution network downstream from the gas plant or at the market end of the transportation system are not covered by the E&P exemption. These wastes are not uniquely associated with oil or gas exploration and production and are not exempt.

In addition, wastes generated by non-production related activities (i.e., manufacturing) that may occur at a gas plant are not exempt. These non-exempt manufacturing activities include operations that go beyond the removal of impurities from the raw gas and the physical separation of the gas into its component fractions. Manufacturing activities would be those that are similar to petrochemical plant operations, such as the cracking and reforming of the molecular structures of the various gas fractions and the addition of odorants or other substances. The end point of the scope of the exemption for natural gas is in the gas plant once manufacturing begins or, if no manufacturing occurs, at the point at which the natural gas leaves the gas plant for transportation to market.

It should be noted that the production of elemental sulfur from hydrogen sulfide gas at a gas plant is considered treatment of an exempt waste (i.e., the hydrogen sulfide gas is a uniquely associated waste). This waste treatment process reduces the volume and/or toxicity of the exempt waste and produces a saleable product. As such, this process is similar to crude oil reclamation and any residual waste derived from the hydrogen sulfide remains exempt.

Finally, wastes uniquely associated with operations to recover natural gas from underground gas storage fields are covered by the exemption just as if the gas were being produced for the first time. This is because operations to store and retrieve natural gas from natural underground formations, as well as the types of wastes generated, are virtually identical to those involved with the production of natural gas for the first time, although the volume of wastes generated by natural gas storage and retrieval is typically smaller than the volume generated by the initial production. In effect, in the context of the E&P exemption, the storage of natural gas in natural underground formations returns the gas to the beginning point of the production process.

III. Administrative Procedure Act Requirements

Today's notice is issued without request for public comment since it does not revise, amend, repeal, change, or otherwise alter any EPA regulation, nor constitute a change to EPA's 1988 Regulatory Determination regarding oil and gas exploration and production wastes. This notice merely provides further clarification of EPA's statements regarding the scope of the exemption for oil and gas wastes. Thus, EPA does not believe that today's notice constitutes an action for which notice and comment is required under the Administrative Procedure Act (APA).

To the extent today's notice is covered by APA requirements, EPA believes that it is merely interpreting the scope of the existing RCRA statutory exclusion for oil and gas wastes, for which notice and comment is not ordinarily required. Alternatively, EPA believes it has good cause under Section 553(b) of the APA to publish this notice without opportunity for comment. EPA has already received substantial comment regarding the scope of the oil and gas exemption in response to its 1987 Report to Congress, and further comment on the issue is unnecessary, particularly since EPA is not altering its position from that which the Agency announced in the 1988 Regulatory Determination.

IV. EPA RCRA Docket

The EPA RCRA docket is located at: United States Environmental Protection Agency, RCRA Information Center, room M2427, 401 M Street, SW., Washington, DC 20460.

The RCRA Information Center is open from 9:00 to 4:00 Monday through Friday, except for federal holidays. The public must make an appointment to review docket materials. Call the docket at (202) 260–9327 for appointments. Copies cost $.15 per page.

The following documents related to the July 6, 1988 regulatory determination are available for inspection in docket number F–88–OGRA-FFFFF.

- Report to Congress on Management of Wastes from the Exploration, Development, and Production of Crude Oil, Natural Gas, and Geothermal Energy;
- All supporting documentation for the regulatory determination, including public comments on the Report to Congress and EPA response to comments, and
- Transcripts from the public hearings on the Report to Congress.

All supporting documentation for this **Federal Register** Notice are available for inspection in docket number F–93–OGRC-FFFFF.

Dated: March 11, 1993.

Richard J. Guimond,

Assistant Surgeon General, USPHS.
Acting Assistant Administrator.

[FR Doc. 93–6153 Filed 3–19–93; 8:45 am]
BILLING CODE 6560-50-P

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40 CFR Part 300

[FRL–4607–2]

National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List

AGENCY: Environmental Protection Agency.

ACTION: Notice of deletion of the Woodbury Chemical Company Site from the National Priorities List (NPL).

SUMMARY: The Environmental Protection Agency (EPA) announces the deletion of the Woodbury Chemical Company Superfund Site (Site) in Commerce City, Colorado, from the National Priorities List (NPL). The NPL is appendix B of 40 CFR part 300 which is the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), promulgated pursuant to section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended. EPA and the State of Colorado have determined that all appropriate response actions have been implemented at the Site and that no further cleanup by responsible parties is appropriate. Moreover, EPA and the State of Colorado have determined that remedial activities conducted at the Site are protective of public health, welfare, and the environment.

EFFECTIVE DATE: March 22, 1993.

FOR FURTHER INFORMATION CONTACT: Ms. Laura Williams (8HWM-SR), Remedial Project Manager, U.S. EPA, Region VIII, 999 18th Street, suite 500, Denver, Colorado 80202–2466, (303) 293–1531, or Mr. Patrick Bustos (8OEA), Office of External Affairs, U.S. EPA, Region VIII, 999 18th Street, suite 500, Denver, Colorado 80202–2466, (303) 294–1139.

ADDRESSES: Comprehensive information on this Site is available at the following addresses:

United States
Environmental Protection
Agency

Office of Solid Waste
(5301)
Washington, DC 20460

November 1993

Solid Waste

EPA Notification of Regulated Waste Activity

AND BLOWOUTS

X. Inspection Maintenance & Reporting

A. The Division shall be notified of any fire, break, leak, spill, or blowout occurring at any injection or disposal facility or at any oil or gas drilling, producing, transporting, or processing facility in the State of New Mexico by the person operating or controlling such facility.

B. "Facility," for the purpose of this rule, shall include any oil or gas well, any injection or disposal well, and any drilling or workover well; any pipe line through which crude oil, condensate, casinghead or natural gas, or injection or disposal fluid (gaseous or liquid) is gathered, piped, or transported (including field flow-lines and lead-lines but not including natural gas distribution systems); any receiving tank, holding tank, or storage tank, or receiving and storing receptacle into which crude oil, condensate, injection or disposal fluid, or casinghead or natural gas is produced, received, or stored; any injection or disposal pumping or compression station including related equipment; any processing or refining plant in which crude oil, condensate, or casinghead or natural gas is processed or refined; and any tank or drilling pit or slush pit associated with oil or gas well or injection or disposal well drilling operations or any tank, storage pit, or pond associated with oil or gas production or processing operations or with injection or disposal operations and containing hydrocarbons or hydrocarbon waste or residue, salt water, strong caustics or strong acids, or other deleterious chemicals or harmful contaminants.

C. Notification of such fire, break, leak, spill, or blowout shall be in accordance with the provisions set forth below:

(1) Well Blowouts. Notification of well blowouts and/or fires shall be "immediate notification" described below. ("Well blowout" is defined as being loss of control over and subsequent eruption of any drilling or workover well, or the rupture of the casing, casinghead, or wellhead or any oil or gas well or injection or disposal well, whether active or inactive, accompanied by the sudden emission of fluids, gaseous or liquid, from the well.)

(2) "Major" Breaks, Spills, or Leaks. Notification of breaks, spills, or leaks of 25 or more barrels of crude oil or condensate, or 100 barrels or more of salt water, none of which reaches a watercourse or enters a stream or lake; breaks, spills, or leaks in which one or more barrels of crude oil or condensate or 25 barrels or more of salt water does reach a watercourse or enters a stream or lake; and breaks, spills, or leaks of hydrocarbons or hydrocarbon waste or residue, salt water, strong caustics or strong acids, gases, or other deleterious chemicals or harmful contaminants of any magnitude which may with reasonable probability endanger human health or result in substantial damage to property, shall be "immediate notification" described below.

(3) "Minor" Breaks, Spills, or Leaks. Notification of breaks, spills, or leaks of 5 barrels or more but less than 25 barrels of crude oil or condensate, or 25 barrels or more but less than 100 barrels of salt water, none of which reaches a watercourse or enters a stream or lake, shall be "subsequent notification" described below.

(4) "Gas Leaks and Gas Line Breaks. Notification of gas leaks from any source or of gas pipe line breaks in which natural or casinghead gas of any quantity has escaped or is escaping which may with reasonable probability endanger human health or result in substantial damage to property shall be "immediate notification" described below. Notification of gas pipe line breaks or leaks in which the loss is estimated to be 1000 or more MCF of natural or casinghead gas but in which there is no danger to human health nor of substantial damage to property shall be "subsequent notification" described below.

(5) Tank Fires. Notification of fires in tanks or other receptacles caused by lightning or any other cause, if the loss is, or it appears that the loss will be, 25 or more barrels of crude oil or condensate, or fires which may with reasonable probability endanger human health or result in substantial damage to property, shall be "immediate notification" as described below. If the loss is, or it appears that the loss will be at least 5 barrels but less than 25 barrels, notification shall be "subsequent notification" described below.

(6) Drilling Pits, Slush Pits, and Storage Pits and Ponds. Notification of breaks and spills from any drilling pit, slush pit, or storage pit or pond in which any hydrocarbon or hydrocarbon waste or residue, strong caustic or strong acid, or other deleterious chemical or harmful contaminant endangers human health or does substantial surface damage, or reaches a watercourse or enters a stream or lake in such quantity

(7) IMMEDIATE NOTIFICATION. "Immediate Notification" shall be as soon as possible after discovery and shall be either in person or by telephone to the district office of the Division district in which the incident occurs, or if the incident occurs after normal business hours, to the District Supervisor, the Oil and Gas Inspector, or the Deputy Oil and Gas Inspector. A complete written report ("Subsequent Notification") of the incident shall also be submitted in DUPLICATE to the appropriate district office of the Division within ten days after discovery of the incident.

(8) SUBSEQUENT NOTIFICATION. "Subsequent Notification" shall be a complete written report of the incident and shall be submitted in duplicate to the district office of the Division district in which the incident occurred within ten days after discovery of the incident.

(9) CONTENT OF NOTIFICATION. All reports of fires, breaks, leaks, spills, or blowouts, whether verbal or written, shall identify the location of the incident by quarter-quarter, section, township, and range, and by distance and direction from the nearest town or prominent landmark so that the exact site of the incident can be readily located on the ground. The report shall specify the nature and quantity of the loss and also the general conditions prevailing in the area, including precipitation, temperature, and soil conditions. The report shall also detail the measures that have been taken and are being taken to remedy the situation reported.

(10) WATERCOURSE, for the purpose of this rule, is defined as any lake-bed or gully, draw, stream bed, wash, arroyo, or natural or man-made channel through which water flows or has flowed.

1-203. NOTIFICATION OF DISCHARGE--REMOVAL.

A. With respect to any discharge from any facility of oil or other water contaminant, in such quantity as may with reasonable probability injure or be detrimental to human health, animal or plant life, or property, or unreasonably interfere with the public welfare or the use of property, the following notifications and corrective actions are required:

1. As soon as possible after learning of such a discharge, but in no event more than twenty-four (24) hours thereafter, any person in charge of the facility shall orally notify the Chief, Ground Water Bureau, Environmental Improvement Division, or his counterpart in any constituent agency delegated responsibility for enforcement of these rules as to any facility subject to such delegation. To the best of that person's knowledge, the following items of information shall be provided:

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

b. the name and address of the facility;

c. the date, time, location, and duration of the discharge;

d. the source and cause of discharge;

e. a description of the discharge, including its chemical composition;

f. the estimated volume of the discharge; and

g. any actions taken to mitigate immediate damage from the discharge.

2. When in doubt as to which agency to notify, the person in charge of the facility shall notify the Chief, Ground Water Bureau, Environmental Improvement Division. If that division does not have authority pursuant to Commission delegation, the division shall notify the appropriate constituent agency.

3. Within one week after the discharger has learned of the discharge, the facility owner and/or operator shall send written notification to the same division official, verifying the prior oral notification as to each of the foregoing items and providing any appropriate additions or corrections to the information contained in the prior oral notification.

4. The oral and written notification and reporting requirements contained in the three preceding paragraphs and the paragraphs below are not intended to be duplicative of discharge notification and reporting requirements promulgated by the Oil Conservation Commission (OCC) or by the Oil Conservation Division (OCD); therefore, any facility which is subject to OCC or OCD discharge notification and reporting requirements need not additionally comply with the nofification/and reporting requirements herein.

5. As soon as possible after learning of such a discharge, the owner/operator of the facility shall take such corrective actions as are necessary or appropriate to contain and remove or mitigate the damage caused by the discharge.

6. If it is possible to do so without unduly delaying needed corrective actions, the facility owner/operator shall endeavor to contact and consult with the Chief, Ground Water Bureau, Environmental Improvement Division or appropriate counterpart in a delegated agent, in an effort to determine the division's views as to what further corrective actions may be necessary or appropriate to the discharge in question. In any event, no later than fifteen (15) days after the discharger learns of the discharge, the facility owner/operator shall send to said Bureau Chief a written report describing any corrective actions taken and/or to be taken relative to the discharge. Upon a written request and for good cause shown, the Bureau Chief may extend the time limit beyond fifteen (15) days.

7. The Bureau Chief shall approve or disapprove in writing the foregoing corrective action report within thirty (30) days of its receipt by the division. In the event that the report is not satisfactory to the division, the Bureau Chief shall specify in writing to the facility owner/operator any shortcomings in the report or in the corrective actions already taken or proposed to be taken relative to the discharge, and shall give the facility owner/operator a reasonable and clearly specified time within which to submit a modified corrective action report. The Bureau Chief shall approve or disapprove in writing the modified corrective action report within fifteen (15) days of its receipt by the division.

8. In the event that the modified corrective action report also is unsatisfactory to the division, the facility owner/operator has five (5) days from the notification by the Bureau Chief that it is unsatisfactory to appeal to the division director. The division director shall approve or disapprove the modified corrective action report within five (5) days of receipt of the appeal from the Bureau Chief's decision. In the absence of either corrective action consistent with the approved corrective action report or with the decision of the director concerning the shortcomings of the modified corrective action report, the division may take whatever enforcement or legal action it deems necessary or appropriate.

B. Exempt from the requirements of this section are continuous or periodic discharges which are made;

1. in conformance with water quality control commission regulations and rules, regulations or orders of other state or federal agencies; or

2. in violation of water quality control commission regulations but pursuant to an assurance of discontinuance or schedule of compliance approved by the commission or one of its duly authorized constituent agencies.

C. As used in this section:

1. "discharge" means spilling, leaking, pumping, pouring, emitting, emptying, or dumping into water or in a location and manner where there is a reasonable probability that the discharged substance will reach surface or subsurface water;

2. "facility" means any structure, installation, operation, storage tank, transmission line, motor vehicle, rolling stock, or activity of any kind, whether stationary or mobile;

3. "oil" means oil of any kind or in any form including petroleum, fuel oil, sludge, oil refuse and oil mixed with wastes;

4. "operator" means the person or persons responsible for the overall operations of a facility; and

5. "owner" means the person or persons who own a facility, or part of a facility.

D. Notification of discharge received pursuant to this regulation or information obtained by the exploitation of such notification shall not be used against any such person in any criminal case, except for perjury or for giving a false statement.

XIII. - A

GUIDELINES

FOR

REMEDIATION

OF

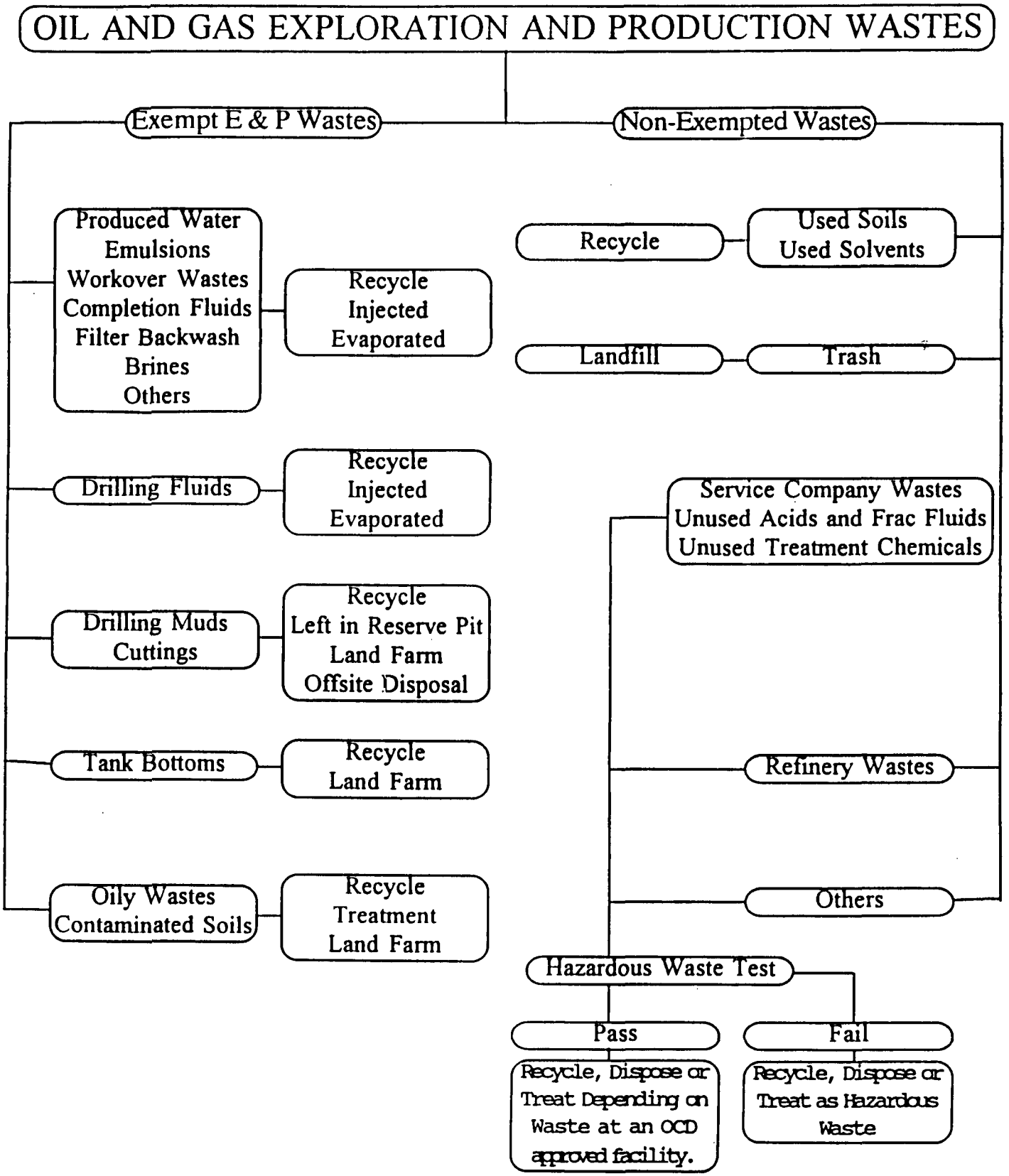
LEAKS, SPILLS AND RELEASES

(AUGUST 13, 1993)

New Mexico Oil Conservation Division

XIII - B

New Mexico
OIL FIELD WASTES
CATEGORIES AND DISPOSAL METHODS



Please contact the Oil Conservation Division concerning any waste or disposal methods not listed.

ACKNOWLEDGEMENT OF RECEIPT OF CHECK/CASH

I hereby acknowledge receipt of check No. [redacted] dated 7/20/95.

or cash received on 8/2/95 in the amount of $ 50.00

from Permian Treating Chemicals

for Tatum Svc Facility (Facility Name) GW-215 (DP No.)

Submitted by: _____ Date: _____

Submitted to ASD by: B. Chandler Date: 8/8/95

Received in ASD by: Angie Dinn Date: 8/9/95

Filing Fee X New Facility ___ Renewal ___

Modification ___ Other _____ (specify)

Organization Code 521.07 Applicable FY 96

To be deposited in the Water Quality Management Fund.

Full Payment ___ or Annual Increment ___

[redacted]

WESTERN COMMERCE BANK
TATUM, NM
95-108/1122 8

PERMIAN TREATING CHEMICALS, INC.
P.O. BOX 815 505/398-4111
TATUM, NM 88267

PERMIAN TRTNG CHEMICALS INC. 50 DOLS 00 CTS

DATE 7/20/95 AMOUNT $50.0

PAY TO THE ORDER OF: NMED WATER QUALITY MANAGEMENT

Gloria Blackwell

[redacted]

PERMIAN TREATING CHEMICALS, INC.

7/20/95	Filing Fee for Waste Discharge Plan - Hobbs GW 215	$50.00

GW-215

PERMIAN

Treating Chemicals, Inc.

Post Office Box 815
Tatum, New Mexico 88267
BUS: (505) 398-4111
FAX: (505) 398-4113

July 20, 1995

NMED Water Quality Management
2040 S. Pacheco
Santa Fe, NM 87505

To Whom It May Concern:

Permian Treating Chemicals, Inc. would like to submit a request for five equal payments of $276.00 for a period of five years to pay the $1,380.00 Waste Discharge Plan fee.

Please contact Gloria Blackwell if there are any questions at (505) 398-4111.

Thank You,

Gloria Blackwell

Gloria Blackwell
Permian Treating Chemicals, Inc.

PERMIAN TREATING CHEMICALS, INC.

7/20/95 Filing Fee for Waste Discharge Plan $50.00

[redacted]

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DATE 7/20/95 AMOUNT $50.00

PAY TO THE ORDER OF: NMED WATER QUALITY MANAGEMENT

Gloria Blackwell

[redacted]

STATE OF NEW MEXICO
WATER QUALITY CONTROL COMMISSION
1190 St. Francis Drive P.O. Box 26110, Santa Fe, New Mexico 87502
(505) 827-2824

July 14, 1995

Roger Anderson
Energy, Minerals and Natural
Resources Department
2040 South Pacheco
Santa Fe, NM 87505

RE: Order Denying Variance

Dear Roger:

Enclosed please find a copy of the Order Denying Variance in the Matter of the Petition for Variance filed by Permian Treating Chemicals, Inc. If you have any questions please contact me at (505) 827-2824.

Sincerely,

Joyce R. Croker

Joyce R. Croker

ADMINISTRATIVE SECRETARY
NEW MEXICO WATER QUALITY CONTROL COMMISSION

/jrc

enclosure

STATE OF NEW MEXICO

WATER QUALITY CONTROL COMMISSION

IN THE MATTER OF THE PETITION FOR VARIANCE FILED BY PERMIAN TREATING CHEMICALS, INC.

ORDER DENYING VARIANCE

The Water Quality Control Commission ("Commission"), at its July 11, 1995 meeting, considered the Petition for Variance filed May 16, 1995 by Permian Treating Chemicals, Inc. ("Petition"), and after receiving comments from the Oil Conservation Division of the Energy, Minerals and Natural Resources Department ("OCD") and deliberating on the matter, reached the following decision:

1. The Commission is authorized to grant a variance from a Commission Regulation when it finds that "compliance with the regulation will impose an unreasonable burden upon any lawful business, occupation or activity." NMSA 1978, Section 74-6-4(G). The Commission Regulations require the Commission to decide within 60 days of receipt of a variance petition whether to hold a hearing on the petition. WQCCR 1-210.B. The Water Quality Act and the regulations allow the Commission to deny a variance request without a hearing.

2. The Petition seeks to exempt the facility from the requirement to obtain a discharge plan and to pay the associated application fees for a period of 5 years. WQCCR 3-104 and 3-114. The Petition claims that the facility has been safeguarded to prevent discharges into the environment and therefore the Petitioner "should be rewarded for the forethought and expense that he has gone to to protect the environment".

3. The Commission finds that the Petition does not provide any evidence that these regulations will impose an unreasonable burden on Petitioner's business, that Petitioner's facility should be treated the same as the approximately 200 similar businesses that must obtain discharge plans, and that a variance is not appropriate for granting an exemption from the requirement to obtain a discharge plan.

THE COMMISSION ORDERS THAT the Petition for Variance submitted by Permian Treating Chemicals, Inc. be denied.

WATER QUALITY CONTROL COMMISSION

Date: 7/13/95

Chairman

CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of the foregoing Order Denying Variance were mailed by first-class mail to the following persons on July 14, 1995.

Gale Blackwell
Permian Treating Chemicals, Inc.
Hwy 380 West/P.O. Box 815
Tatum NM 88267

Roger Anderson
Energy, Minerals and Natural Resources Department
Oil Conservation Division
2040 South Pacheco
Santa Fe NM 87505

Joyce R. Croker

Joyce Croker
Commission Secretary

STATE OF NEW MEXICO
OIL CONSERVATION DIVISION

MEMORANDUM OF MEETING OR CONVERSATION

☐ Telephone ☒ Personal | Time 10:30 AM | Date 7-11-95

Originating Party	Other Parties
WQCC	Roger Anderson, Pat Sanchez NMOCD

Subject: Variance from WQCC discharge plan requirement Pre hearing.

Discussion: Roger presented OCD view - opposing variance - but not opposing hearing. Stated Groundwater at 26' and Oil field chemicals, as well as small spills visiable at the facility.

Conclusions or Agreements: WQCC did not grant a hearing voted 7 to 1 (1 did not vote) not to grant the hearing - therefore Permian will have to submit a discharge Plan. (According to 1-210 B. WQCC will let Mr. Blackwell know in 15 days by Certified Mail)

Distribution

Signed Patricia W. Sanchez

STATE OF NEW MEXICO

WATER QUALITY CONTROL COMMISSION

1190 St. Francis Drive P.O. Box 26110, Santa Fe, New Mexico 87502
(505) 827-2824

CONSTITUENT AGENCIES:

Environment Department
State Engineer & Interstate Stream Commission
Game and Fish Department
Oil Conservation Division
Department of Agriculture
State Park & Recreation Division
Soil and Water Conservation Bureau
Bureau of Mines and Mineral Resources
Member-at-Large

REVISED AGENDA

July 3, 1995

PROPOSED AGENDA
NM WATER QUALITY CONTROL COMMISSION MEETING
JULY 11, 1995
STATE CAPITAL, ROOM 317
OLD SANTA FE TRAIL AND PASEO DE PERALTA
SANTA FE, NEW MEXICO
MEETING WILL BEGIN AT 9:00 A.M.

1. Roll Call
2. Approval of the Agenda
3. Review of the minutes of June 13, 1994 Water Quality Control Commission meeting
4. Discussion and possible action on motion for reconsideration and to reopen hearing filed by Challenge Mining Company on June 21, 1995.
5. Discussion and possible scheduling of hearing on Compliance Order 94-001 issued by the Environment Department to William Dupree d/b/a Marshall's Septic Service and Charles and Johnnie Faye Coppedge.
6. Discussion and possible scheduling of hearing for Variance Petition filed on May 16, 1995 by Permian Treating Chemicals, Inc.
7. Hearing on Compliance Order Number 95-001 issued by the Environment Department to Mr. Van Tol d/b/a Van Tol Dairy
8. Discussion by the Commission on the location and agenda items to be considered for their next meeting.
9. Other Business
10. Report on litigation

The Commission is not confined to the items listed on the agenda. Other items may be considered that are not listed on the agenda.

STATE OF NEW MEXICO
OIL CONSERVATION DIVISION

MEMORANDUM OF MEETING OR CONVERSATION

☒ Telephone ☐ Personal | Time 9:35 AM | Date 7-6-95

Originating Party	Other Parties
Pat Sanchez - NMOCD	Mrs. Blackwell - Permian Trucking Chemical

Subject: Petition for Variance - pre-Hearing Meeting

Discussion: Told Mrs. Blackwell that the WQCC is going to have a pre-hearing meeting on Tuesday at 9:00 AM on July 11, 1995. Told her we are at 1-210 part B. in the process - she said WQCC has not contacted them as far as she knows - I also gave her Bill Brancards Phone No. (WQCC Attorney) at 827-6027.

Conclusions or Agreements: She will let Gale know. - Meeting on Tuesday July 11, 1995 Roundhouse room 317.
Gale Blackwell Phone No.
515 - 398-4111

Distribution

Signed

STATE OF NEW MEXICO
OIL CONSERVATION DIVISION

MEMORANDUM OF MEETING OR CONVERSATION

☒ Telephone ☐ Personal	Time 4:00 pm	Date 6/9/95

Originating Party	Other Parties
Gail Blackwell w/ Permian	Pat Sanchez

Subject: Treating chemical Discharge Plan

Discussion: Gail wanted to know if he had to submit anything - He had applied for a variance. I told him Not yet - because WQCC Needed to meet and determine if they would grant him a variance.

Conclusions or Agreements: Gail will go through variance process - and then determine if he has to submit a Discharge plan.

Distribution

Signed Patricia W. Sanchez


PERMIAN
FIRE FIGHTING
CHEMICALS, INC.

NMOCD Inter-Correspondence

To: Pat Sanchez-NMOCD Santa Fe
From: Wayne Price-Environmental Engineer District I

Date: May 22, 1995

Reference: Request for Information

Subject: Permian Treating Chemicals-Tatum, NM
Site visit on March 9, 1995
NMOCD personal- Pat Sanchez
Chris Eustice
Wayne Price

Comments:

Dear Pat,

Please find enclosed the following information that I took during our site visit. Please find attached a sketch of the facility.

Groundwater: Water well on site, top of water 26' Td is 42' per Mr. Blackwell.

Laboratory: NONE on site per Mr. Blackwell.

Septic System: For office trailer only, not located at time of visit.

Empty drums: No containment.

Contaminated soil generated from leaks & spills: Presently this material is being stored under the drum dock on a concrete pad. At the time of the visit the vapors from this soil were moderate to strong. Also, there was a chemical drum leaking during our visit. This material was being contained and mixed with previous contaminated soil.

Bulk Chemical storage: Located outside on concrete with berm area. This area also had a sump.

Chemical drum storage: Outside on wooden dock mounted over concrete pad with curb.

Warehouse and blending vats: Inside on concrete, blending vats bermed. Design includes ventilation safety controls, fire protection systems etc.

Yard area in general: The yard is nature soil overlaid with a calichie pad. The yard was noted to be clean with only a few soil stains at the time of the visit.

Background and History: There is known groundwater contamination across the street at a local truck stop.

Recommendations: Obtain information on storage and disposal of all solid waste. For example, how is rainwater that mixes with the contaminated soil disposed of; off spec chemical, empty drums, solid trash, waste water generated from blending vats, etc.

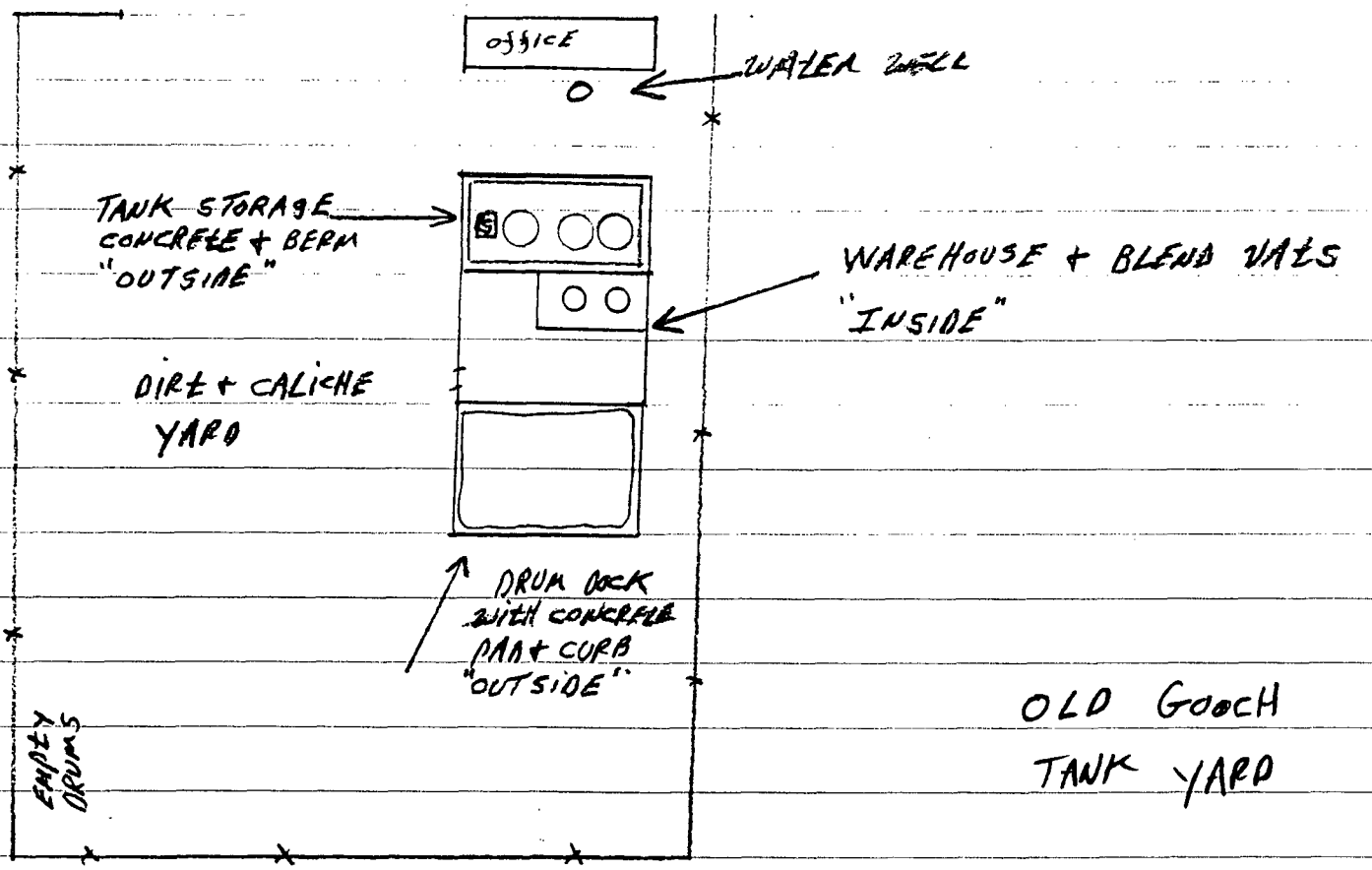
cc: Jerry Sexton-District I Supervisor

Attachments-1

N

"TRUCK STOP"
KNOWN GROUNDWATER CONTAMINATION

HWY 380 → TATUM



PERMIAN TREATING CHEMICALS INC (SITE SKETCH)
TATUM NM
3/9/75

To: Roger Anderson - OCD
From: Mary Lewith - NMED

RECEIVED
MAY 16 1995
NM WATER QUALITY
CONTROL COMMISSION

PETITION FOR VARIANCE
PURSUANT TO SECTION 74-6-4 (G) NMSA 1978

PETITIONER;
PERMIAN TREATING CHEMICALS INC.
HWY 380 WEST/P.O.BOX 815
TATUM, N.M. 88267

;
10-95

Post-it® Fax Note 7671	Date	# of pages ▶
To Roger Anderson	From Mary Lewith	
Co./Dept.	Co.	
Phone # 827-8177	Phone #	
Fax #	Fax #	

FACILITY FOR WHICH VARIANCE IS SOUGHT;
THIS FACILITY IS ENGAGED IN THE MANUFACTURE, PRODUCTION AND SALE OF SURFACE AND DOWNHOLE PRODUCTION WELL TREATING CHEMICALS. OUR SURFACE PRODUCTS ARE PURCHASED FROM US AND USED WITHIN THE SYSTEM OF OILFIELD PRODUCTION EQUIPMENT. DOWNHOLE PRODUCTS ARE PURCHASED FROM US AND USED DOWNHOLE TO BREAKDOWN PARAFFIN, INHIBIT CORROSION, SCALE AND FOR CLEANER ENTERNAL FLUID MOVEMENT TO SUSTAIN PRODUCTION.

DESCRIPTION OF PROPERTY;
SECTION-30, TOWNSHIP-12, RANGE-36
4.34 ACRES, LOCATION NE4
(AT THE WESTERNMOST EDGE OF TATUM, SOUTH SIDE OF HWY 380 ACROSS FROM LEE'S 380 TRUCK STOP/CAFE, OUTSIDE OF THE CITY LIMITS).

WATERBODY & WATERCOURSE AFFECTED
THERE ARE NO WATERBODIES OR WATERCOURSES WITHIN ONE MILE OF THE FACILITY THAT COULD BE AFFECTED BY A SPILL OR DISCHARGE.

REGULATION FOR WHICH VARIANCE IS SOUGHT;
WQCC 82-1 #3-104 DISCHARGE PLAN REQUIRED, AND SECTION 3-114 CONCERNING FEES.

EXTENT OF VARIANCE;
THE PETITIONER WISHES TO VARY FROM THE REQUIREMENT TO PROVIDE A DISCHARGE PLAN AND THE ASSOCIATED FEES.

REASON:
THE PETITIONER HAS NO DISCHARGES INTO SEWERS, PITS, WATERCOURSES, WATERBODIES, TRENCHES, ARROYOS OR INTO THE ENVIRONMENT IN ANY WAY. ALL SPILLS WILL BE CONTAINED WITHIN

IMPERMIABLE CONCRETE CONTAINMENT UNITS, OR BUILDINGS WITH CONCRETE TRENCHES THAT ARE VOID OF FLOOR DRAINS OR RUNOFF CAPABILITY. ADDITIONALLY ALL OF THE SPILLED PRODUCT CAN AND WILL BE EXTRACTED AND RECYCLED. THERE ARE NO SLUDGES OR WASTES GENERATED BY THE CHEMICALS AND THEREFORE NO TRUCK TANK OR DRUM WASHING IS DONE ON THIS FACILITY.

WASTE
THE ONLY AMOUNT OF WASTE WOULD BE FLOOR SWEEP AND/OR BLOW DIRT CONTAMINATED WITH CHEMICAL RESIDUE THAT IS STORED ON SITE UNTIL EVENTUAL ACCUMULATION OF A SUBSTANTIAL AMOUNT THAT WILL THEN BE DISPOSED OF WITH AN APPROVED SURFACE WASTE DISPOSAL FACILITY. THIS WASTE IS MINIMAL AND AT PRESENT POSES LITTLE OR NO BURDEN. PRECIPITATION ACCUMULATED, IN THE NON-PERMI BLE COATED CONCRETE CONTAINMENT UNIT THAT CONTAINS ALL OF OUR BULK TANKS, IS ALLOWED TO EVAPORATE AND POSES NO WASTE PROBLEM.

THE PETITIONER HAS GONE TO GREAT LENGTHS AND COST TO SAFEGUARD THE ENVIRONMENT IN BUILDING THIS FACILITY. ADDITIONALLY THE PETITIONER HAS INSTITUTED CONTINGENCY PLANS FOR DEALING WITH SPILLS CONCERNED WITH THE REMOTE POSSIBILITY OF ENVIRONMENTAL EXPOSURE.

ON THEIR INSPECTION, THE OCD SAID THAT THE PETITIONERS FACILITY WAS THE MODEL BY WHICH ALL CHEMICAL PRODUCTION FACILITIES SHOULD BE BUILT.

THE PETITIONER BELIEVES THAT HE SHOULD BE REWARDED FOR THE FORETHOUGHT AND EXPENSE THAT HE HAS GONE TO TO PROTECT THE ENVIRONMENT AND SHOULD NOT BE PENALIZED WITH THE FEES CHARGED FOR THOSE WHO ARE/OR MAY BE POLLUTING THE ENVIRONMENT.

THIS VARIANCE IS SOUGHT FOR (5) FIVE YEARS FROM THE TIME OF THE GRANTING OF THIS PETITION.

SINCERELY,

Gale Blackwell

GALE BLACKWELL
PETITIONER

Pat Sanchez Notes

- Give Motor Oil away — and using a Stuffing Box lubrication.

② Sump May go to septic —

Septic was dug up.

③ Use for Empty drum Storage.

- Find out about drained oil filters.

- Use rain water for Flush.

- Better Labeling on drums.

Incorporate Artesia Facility in plan (small stock yard)

Pad & curb for product storage — Need a proposed plan. or some sort of 2ndry containment.

Recommendations —

Look Closer at waste streams.

- waste can go to safety Kleen.

3/9/95

Permian Treating Chemicals

Gale Blackwell

- G.W. at 26' in his Fresh water well.

- Has a Blending operation — trys to not produce any waste — uses rinsate as a flush.

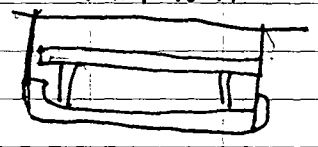
- No Lab on site —

- Address all waste streams

- Ground water contamination accross the street.

- Run T.P.H, BTEX.

① Pack has 2ndy. Containment.



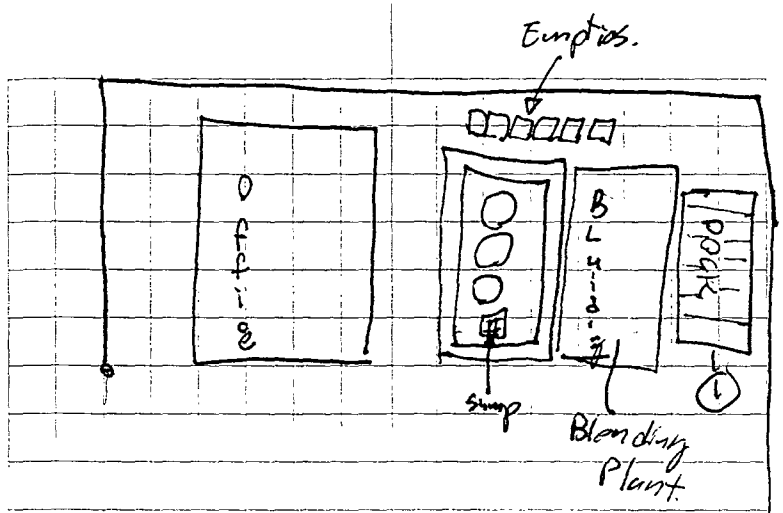
- Using Reconditioned drums.

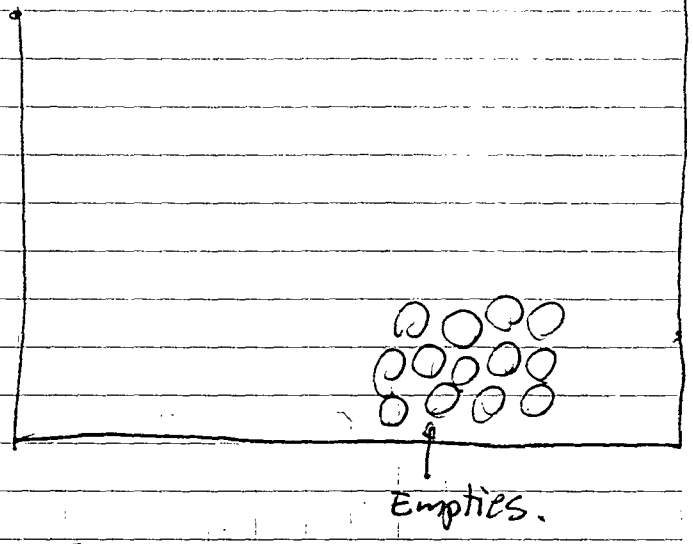
- Lonestar Handles Empty Drums.

- Store drums on the side.

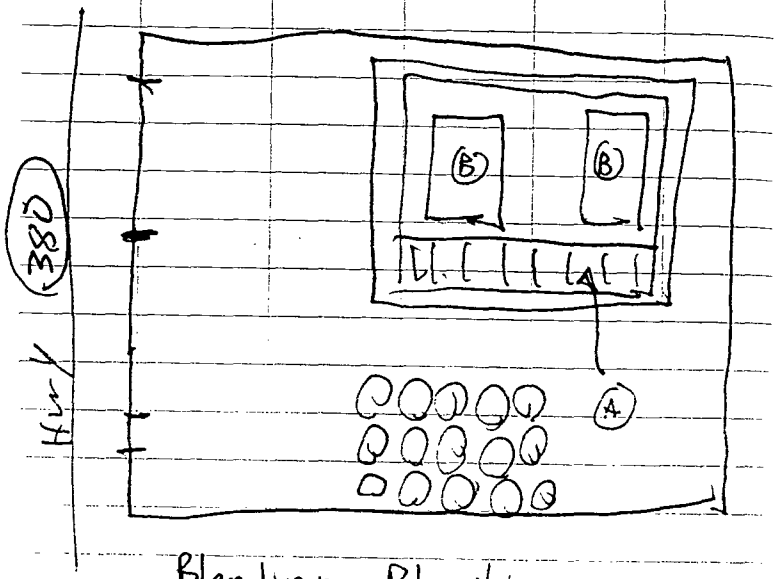
- Cement Pad/curb for Empty drums or other alternative

- Very neat operation -





- Tank Manufacturer across the fence - shut down, but Polluted.



Blending Plant

* Very nice facility.

(A) Puts Absorbate in here. 2ndry is 1½ times volume.

(B) Two Blending ~~Valves~~ Bulk Material

- Submit ~~Raw material~~ MSDS Sheets -

Verify if just a list can be submitted w/ Roger.

TABLE OF CONTENTS

State of New Mexico
ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT
Santa Fe, New Mexico 87505

New Mexico DRUG FREE It's a State of Mind!

February 6, 1995

CERTIFIED MAIL
RETURN RECEIPT NO.Z-765-962-638

Mr. Gale Blackwell
PERMIAN TREATING CHEMICAL Inc.
P.O. Box 815
Tatum, NM 88267

RE: Discharge Plan Requirement
Tatum Facility
Lea County, New Mexico

Dear Mr. Blackwell:

Under the provision of the Water Quality Control Commission (WQCC) Regulations, you are hereby notified that the filing of a discharge plan is required for the PERMIAN TREATING CHEMICAL facility located at W Broadway Tatum, New Mexico.

The discharge plan is required pursuant to Section 3-104 and 3-106 of the WQCC regulations. The discharge plan, defined in Section 1.101.Q of the WQCC regulations should cover all discharges of effluent or leachate at the facilty site or adjacent to the facility site. Included in the plan should be plans for controlling spills and accidental discharges at the facility, including detection of leaks in buried underground tanks and\or piping.

Pursuant to Section 3-106.A, a discharge plan should be submitted for approval to the OCD Director within 120 days of receipt of this letter. Three copies of the discharge plan should be submitted.

VILLAGRA BUILDING - 408 Galisteo
Forestry and Resources Conservation Division
P.O. Box 1948 87504-1948
827-5830
Park and Recreation Division
P.O. Box 1147 87504-1147
827-7465

2040 South Pacheco
Office of the Secretary
827-5950
Administrative Services
827-5925
Energy Conservation & Management
827-5900
Mining and Minerals
827-5970
Oil Conservation
827-7131

A copy of the regulations have been provided for your convenience. Also provided is an OCD guideline for the preparation of discharge plans at oil & gas service companies. The guideline addresses berming of tanks, curbing and paving of process areas susceptible to leaks or spills and the disposition of any solid wastes.

The discharge plan is subject to the WQCC Regulation 3-114 discharge plan fee. Every billable facility submitting a discharge plan will be assessed a fee equal to the filing fee of fifty (50) dollars plus the flat rate of one thousand, three hundred and eighty ($1380) dollars for oil & gas service companies. The fifty (50) dollar filing fee is due when the discharge plan is submitted. The flat rate fee is due upon approval of the discharge plan.

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

If there are any questions on this matter, please feel free to contact Patricio Sanchez at 827-7156 or Roger Anderson at 827-7152.

Sincerely,

William J. LeMay
Director

WJL/pws

XC: OCD Hobbs Office

Z 765 962 638

Receipt for Certified Mail
No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

Sent to Permian Treating	
Street and No.	
P.O., State and ZIP Code	
Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	$
Postmark or Date	

PS Form **3800**, March 1993

ACKNOWLEDGEMENT OF RECEIPT OF CHECK/CASH

I hereby acknowledge receipt of check No. [redacted] dated 9-16-99

or cash received on _____ in the amount of $ 276.00

from Permian Treating Chemicals, Inc.

for Tatum Service GW-215
(Facility Name) (DP No.)

Submitted by: _____ Date: 9-29-99

Submitted to ASD by: _____ Date: _____

Received in ASD by: _____ Date: _____

Filing Fee ___ New Facility ___ Renewal ___

Modification ___ Other _____
(specify)

Organization Code 521.07 Applicable FY 2000

To be deposited in the Water Quality Management Fund.

Full Payment ___ or Annual Increment V

PERMIAN TREATING CHEMICALS, INC.
P.O. BOX 815 505/398-4111
TATUM, NM 88267

WESTERN COMMERCE BANK
TATUM, NM
95-108/1122 8

[redacted]

DATE AMOUNT
Sep 16, 1999 *******$276.0(

PAY TO THE ORDER OF: Two Hundred Seventy-Six and 0/100 Dollars

Memo: 5750P421A25

NMED-Water Quality Management
2040 S. Pacheco
Santa Fe, NM 87505

Gloria Blackwell
AUTHORIZED SIGNATURE

SECURITY FEATURES INCLUDED. DETAILS ON BACK.

PERMIAN TREATING CHEMICALS, INC.

[redacted]

NMED-Water Quality Management

Check Number: [redacted]
Check Date: Sep 16, 1999

Check Amount: $276.00

Item to be Paid - Description	Discount Taken	Amount Paid
Sept/99 - Final Payment Waste Discharge Plan GW-215		276.00

PERMIAN TREATING CHEMICALS, INC.

[redacted]

NMED-Water Quality Management

Check Number: [redacted]
Check Date: Sep 15, 1998

Check Amount: $276.00

Item to be Paid - Description	Discount Taken	Amount Paid
Sept 14, Waste Discharge Plan GW-215 4th of 5 payments		276.00

GW-215
Hobbs Facility

ACKNOWLEDGEMENT OF RECEIPT
OF CHECK/CASH

I hereby acknowledge receipt of check No. [redacted] dated 9/15/98,

or cash received on _____ in the amount of $ 276.00

from Permian Treating

for Hobbs (Facility Name) GW-215 (DP No.)

Submitted by: _____ Date: _____

Submitted to ASD by: RC Anderson Date: 10/30/98

Received in ASD by: _____ Date: _____

Filing Fee ___ New Facility ___ Renewal ___

Modification ___ Other _____ (specify)

Organization Code 521.07 Applicable FY 99

To be deposited in the Water Quality Management Fund.

Full Payment ___ or Annual Increment X

4 of 5

PERMIAN TREATING CHEMICALS, INC.
P.O. BOX 815 505/398-4111
TATUM, NM 88267

WESTERN COMMERCE BANK
TATUM, NM
95-108/1122 8

[redacted]

DATE Sep 15, 1998 AMOUNT *******$276.00

Memo: 5750P421A25

PAY TO THE ORDER OF: Two Hundred Seventy-Six and 0/100 Dollars

NMED-Water Quality Management
2040 S. Pacheco
Santa Fe, NM 87505

Gloria Blackwell
AUTHORIZED SIGNATURE

SECURITY FEATURES INCLUDED. DETAILS ON BACK.

[redacted]

PERMIAN TREATING CHEMICALS, INC.

[redacted]

NMED-Water Quality Management

Check Number: [redacted]
Check Date: Sep 15, 1998

Check Amount: $276.00

Item to be Paid - Description	Discount Taken	Amount Paid
Sept 14, Waste Discharge Plan GW-215 4th of 5 payments		276.00

PERMIAN TREATING CHEMICALS, INC.
P.O. BOX 815 505/398-4111
TATUM, NM 88267

WESTERN COMMERCE BANK
TATUM, NM
95-108/1122 8

[redacted]

DATE: Sep 15, 1998

AMOUNT: *******$276.00

PAY TO THE ORDER OF: Two Hundred Seventy-Six and 0/100 Dollars

Memo: 5750P421A25

NMED-Water Quality Management
2040 S. Pacheco
Santa Fe, NM 87505

Gloria Blackwell
AUTHORIZED SIGNATURE

SECURITY FEATURES INCLUDED. DETAILS ON BACK.

[redacted]

Affidavit of Publication

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

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

That the notice which is hereto attached, entitled

Notice Of Publication

was published in a regular and entire issue of THE LOVINGTON DAILY LEADER and not in any supplement thereof, for one (1) day consecutive weeks, beginning with the issue of

August 1, 19 95

and ending with the issue of

August 1, 19 95

And that the cost of publishing said notice is the sum of $ 41.60

which sum has been (Paid) as Court Costs

Joyce Clemens

Subscribed and sworn to before me this 30th day of August, 19 95

Notary Public, Lea County, New Mexico

My Commission Expires Sept. 28, 19 98

LEGAL NOTICE
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, the following discharge plan applications have been submitted to the Director of the Oil Conservation Division, 2040 South Pacheco, Santa Fe, New Mexico 87505, Telephone (505)827-7131:

(GW-215) - Permian Treating Chemicals, Inc., Mr. Gale Blackwell, (505)-398-4111, P.O. Box 815, Tatum, NM, 88267 has submitted a Discharge plan application for their Tatum facility located in the NE/4, Section 30, Township 12 South, Range 36 East, NMPM, Lea County, New Mexico. All effluents that may be generated at the facility will be collected in a closed top tank and transported offsite for disposal at an OCD approved facility; Groundwater most likely to be affected by a spill, leak, or accidental discharge to the surface is at a depth of approximately 30 feet with s total dissolved solids concentration of approximately 712 mg/L. The discharge plan addresses how spills, leaks, and other accidental discharges to the surface will be managed.

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

If no public hearing is held, the Director will approve or disapprove the proposed plan based on information available. If a public hearing is held, the director will approve or disapprove the proposed plan based on information in the plan and information submitted at the hearing.

GIVEN under the Seal of the State of New Mexico Oil Conservation Commission at Santa Fe, New Mexico, on this 24th day of July, 1995.

STATE OF NEW MEXICO
OIL CONSERVATION DIVISION
WILLIAM J. LEMAY, Director

SEAL

Published in the Lovington Daily Leader August 1, 1995.

District I - (505) 393-6161
P. O. Box 1940
Hobbs, NM 88241-1980
District II - (505) 748-1283
811 S. First
Artesia, NM 88211-0719
District III - (505) 334-6178
1000 Rio Brazos Road
Aztec, NM 87410
District IV - (505) 827-7131

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

RECEIVED
AUG 28 1995
Environmental Bureau
Oil Conservation Division

Revised 4/18/95

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

DISCHARGE PLAN APPLICATION FOR OILFIELD SERVICE FACILITIES

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

☒ New ☐ Renewal ☐ Modification

1. Type: Oilfield Service Company (Chemicals)
2. Operator: Permian Treating Chemicals Inc.

   Address: P.O.Box 815, Tatum, N.M. 88267

   Contact Person: Mr. Gale Blackwell Phone: (505)-398-4111
3. Location: NE /4 /4 Section 30 Township 12 Range 36

   Submit large scale typographic map showing exact location.
4. Attach the name 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 contringency plan for reporting and clean-up of spills or releases.
12. Attach geological/hydrological evidence demonstrating that disposal of oil field wastes will not adversely impact fresh water. Depth to and quality of ground water must be included.
13. Attach such 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: Gale Blackwell Title: Owner/Operator

Signature: X Gale Blackwell Date: 8-25-95

PERMIAN TREATING CHEMICALS INC.

DISCHARGE PLAN GW-215

FACILITY AT HIGHWAY 380
TATUM, NEW MEXICO
LOCATION NE/4, SECTION-30, TOWNSHIP-12, RANGE-36
4.34 ACRES, LOCATION NE4

RECEIVED
AUG 28 1995
Environmental Bureau
Oil Conservation Division

PREPARED BY;
ACTION SAFETY INC.
P.O. DRAWER D
HOBBS, N.M. 88240
(505) 393-3501

I. TYPE OF OPERATION

THE MANUFACTURE, PRODUCTION AND SALE OF SURFACE AND DOWNHOLE PRODUCTION WELL TREATING CHEMICALS. OUR SURFACE PRODUCTS ARE PURCHASED AND USED WITHIN THE SYSTEM OF *OILFIELD PRODUCTION EQUIPMENT. DOWNHOLE PRODUCTS ARE* PURCHASED FROM US AND USED DOWNHOLE TO BREAK DOWN PARAFFIN, INHIBIT CORROSION, SCALE AND FOR CLEANER INTERNAL FLUID MOVEMENT TO SUSTAIN PRODUCTION.

II. OPERATOR

MR. GALE BLACKWELL
P.O. BOX 815
TATUM, N.M. 88267
(505) 398-4111

III. LOCATION OF FACILITY

SECTION-30, TOWNSHIP-12, RANGE-36
4.34 ACRES, LOC NE4,
COMMONLY KNOWN AS;
HIGHWAY 380 WEST
CITY OF TATUM
LEA COUNTY, NEW MEXICO

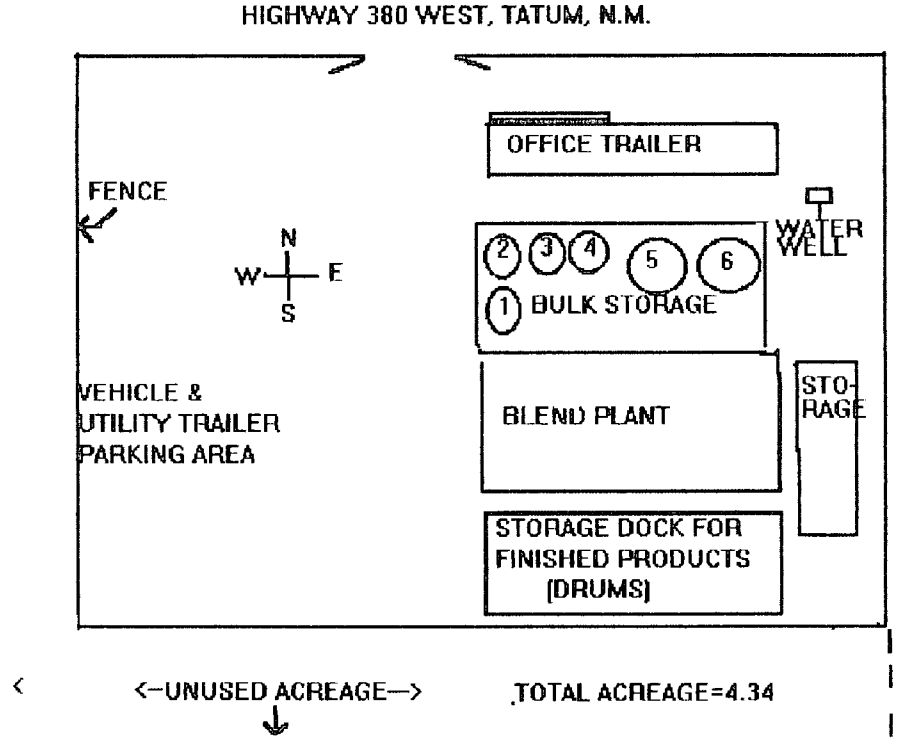
IV. LANDOWNER

MR. GALE BLACKWELL

V. FACILITY DESCRIPTION

PERMIAN *TREATING CHEMICALS INC. IS LOCATED AT THE EXTREME* WESTERN EDGE OF TATUM (OUTSIDE THE CITY LIMITS) ON THE SOUTH SIDE OF HWY 380 AND IS NOWHERE NEAR ANY WATERCOURSE (SEE TOPOGRAPHICAL MAP INCLOSED) DRY OR OTHERWISE.

SEE DIAGRAM



W=WATER WELL

THE WATER WELL IS 70 FOOT DEEP AND IS USED FOR THE OFFICE FACILITIES. AT THE LAST TEST THE WELL WAS FOUND TO BE WITHIN THE NORMAL RANGES WITH NO UNNATURAL CONTAMINATES.

BULK STORAGE

1= 14 BARREL STORAGE OF CORROSION INHIBITOR
2= 20 BARREL STORAGE OF TRIETHYLENE GLYCOL
3= 20 BARREL STORAGE OF METHANOL
4= 20 BARREL STORAGE OF METHANOL
5= 60 BARREL STORAGE OF METHANOL
6= 60 BARREL STORAGE OF CAUSINOL 104 (NAPTHA)

ALL OF THE STORAGE TANKS AT THE LOADING DOCK ARE RESTING INSIDE OF A CONCRETE SPILL CONTAINMENT THAT HAS TWO (2) FOOT HIGH WALLS AND IS LARGE ENOUGH TO CONTAIN ANY AMOUNT OF SPILLAGE, LEAKING OR DISCHARGES. ADDITIONALLY, THE CONCRETE IS COATED WITH AN EXPENSIVE NON-PERMIABLE COATING TO PREVENT LEACHING OF ANY KIND. ANY CHEMICAL SPILLED WILL BE EXTRACTED AND RECYCLED IN THE BLENDING AREA. RESIDUE WILL BE WIPED UP WITH RAGS THAT ARE HANDLED WITH A LINEN SERVICE. THE RAINWATER HAS THE POTENTIAL TO ACCUMULATE RAINWATER WHICH WILL BE ADDRESSED IN SECTION VIII.

STORAGE AREA

STORAGE OF APPROXIMATELY 60 EMPTY DRUMS THAT ARE ACTIVELY REUSED. CURRENTLY, DRUMS ARE STORED ON THE GROUND* BEHIND THE BLEND PLANT ON THEIR SIDE WITH THE BUNGS IN PLACE AND HORIZONTAL TO THE GROUND. CLEANING, RECONDITIONING AND DISPOSAL OF DRUMS IS HANDLED BY LONE STAR DRUM CO. OF ODESSA TEXAS.

BLEND PLANT

THE BLEND PLANT HAS BLEND TANKS RESTING ON A CONCRETE FLOOR THAT HAS SPILL CONTAINMENT TROUGHS MADE INTO THE CONCRETE, IN ORDER TO CATCH ANY SPILLS. THE CHEMICALS (PRODUCT) ARE PIPED DIRECTLY INTO THE TANKS (ABOVE GROUND) IN THE CONCRETE SPILL CONTAINMENT AREA WITH NO POSSIBILITY OF GROUND CONTAMINATION OF ANY TYPE. THERE ARE NO FLOOR DRAINS OR ACCESS TO SEWAGE OR ANY TYPE OF LEACHING INTO THE SOIL OR ENVIRONMENT . EXPLOSION PROOF WIRING AND EXHAUST FANS ARE PRESENT TO ENSURE WORKER SAFETY. FIRE EXTINGUISHERS, FIRST AID KIT, DRENCH SHOWER AND VARIOUS PERSONAL PROTECTIVE EQUIPMENT ARE READILY AVAILABLE FOR EMERGENCIES. ONLY A SMALL AMOUNT OF RAW PRODUCT IS STORED HERE AND USED TO BLEND THE PRODUCTS.

THE SPILL SORBENT NOTED BY THE NMOCD INSPECTORS IN THE BLEND PLANT AND IN THE OUTDOOR LOADING DOCK WILL BE STORED IN CLOSED LID STORAGE DRUMS WITHIN THE BLEND PLANT UNTIL DISPOSAL IS WARRANTED. WHEN SUFFICIENT AMOUNT IS ACCUMULATED, THEN THE WASTE WILL BE TESTED TO DETERMINE CLASSIFICATION AND PROPERLY DISPOSED OF WITH AN APPROVED DISPOSAL FACILITY SUCH AS THOSE LISTED IN SECTION XIII OTHER COMPLIANCE INFORMATION.

STORAGE DOCK FOR FINISHED PRODUCTS

FINISHED PRODUCT IS STORED HERE AND ACTIVELY ROTATED. THE INTEGRITY OF THE DRUMS IS CONSTANTLY EVALUATED. HERE THEY SIMPLY WAIT TO BE LOADED AND UNLOADED. A CONCRETE PAD WITH EIGHT INCH CURBING RESTS BENEATH THE DOCK TO CONTAIN SPILLS. THIS DRAMATICALLY EXCEEDS THE 133% GUIDELINE FOR SPILL CONTAINMENT.

NOTE; ACROSS HWY 380 AT LIL'S 380 TRUCK STOP, THERE HAS BEEN UNDERGROUND TANKS LEAKING THAT THE NMEID AND THE EPA ARE AWARE OF. PERMIAN TREATING CHEMICALS INC. IS IN NO WAYS INVOLVED OR RESPONSIBLE FOR THAT CONTAMINATION OR ANY CONTAMINATION THAT WE ARE AWARE OF.

VI. MATERIALS STORED OR USED AT THE FACILITY
(MSDS'S ARE NUMEROUS BECAUSE OF THE GREAT COMBINATION OF MIXTURES FROM BASIC PRODUCTS, BUT ARE ON SITE AND CARRIED IN OUR VEHICLES IN LARGE BINDERS-AVAILABLE FOR INSPECTION AND EMPLOYEE SAFETY, AT ALL TIMES) ATTACHED YOU WILL FIND A LIST OF BASIC PRODUCTS BLENDED AND SOLD.

1. **DRILLING FLUIDS-** NONE STORED OR USED.

2. **BRINES** (KCI, NaCI, ETC.)- NONE STORED OR USED

3. **ACIDS/CAUSTICS-** TWO 100 LB BAGS OF SOLID CAUSTIC LOCATED IN THE BLEND PLANT.

4. **DETERGENTS/SOAPS-**2500 LB OF LIQUID SURFACTANT IN DRUMS LOCATED AT THE STORAGE DOCK FOR FINISHED PRODUCT.
5. **SOLVENTS & DEGREASERS-**5000 GALLONS OF LIQUID SOLVENTS IN DRUMS LOCATED IN THE BLEND PLANT.

6. **PARAFFIN TREATMENT/EMULSION BREAKERS-**1100 GALLONS OF LIQUID EMULSION BREAKERS LOCATED AT THE STORAGE DOCK FOR FINISHED PRODUCT.

7. **BIOCIDES-** NONE STORED OR USED.

8. **OTHER LIQUIDS OR SOLIDS-**NONE STORED OR USED

VII. WASTES

1. **TRUCK WASTES-**NONE STORED OR USED (OUR VEHICLES ARE SERVICED AT APPROVED OIL CHANGE FACILITIES).

2. **TRUCK TANK OR DRUM WASHING-**DRUM WASHING DOES NOT EXIST AT OUR FACILITY. FLUSHING WASTE WATER DOWN A CUSTOMERS WELL WAS PROPOSED IN THE ORIGINAL FORM OF THIS DOCUMENT. THIS HAS NEVER BEEN PRACTICED BY PERMIAN TREATING INC. PERMIAN TREATING INC. HAS ELIMINATED THAT SUGGESTION FROM THE PROPOSED DISCHARGED PLAN AS THEY FEEL IT WOULD BE AN UNETHICAL PRACTICE.

3. **STEAM CLEANING OF PARTS, EQUIPMENT, TANKS-** NONE, IT'S NOT NEEDED NOR DO WE HAVE A STEAM CLEANER.

4. **SOLVENT/DEGREASER USE-** NONE

5. **SPENT ACIDS, CAUSTICS, OR COMPLETION FLUIDS-**NONE

6. **WASTE SLOP OIL-**NONE

7. **WASTE LUBRICATION AND MOTOR OILS-**NONE (OUR PICKUPS ARE SERVICED AT OIL CHANGE FACILITIES AND WE PAY THE ENVIRONMENTAL CHARGE FOR THEM TO PROPERLY DISPOSE OF IT)

8. **OIL FILTERS-** NONE (SEE #7)

9. **SOLIDS AND SLUDGES FROM TANKS-**NONE (OUR CHEMICALS ARE ALL NON SLUDGE BUILDING AND RECYCLABLE).

10. **PAINTING WASTES-**NONE

11. **SEWAGE-** ON SITE SEPTIC TANK. NO INDUSTRIAL WASTES ARE DUMPED HERE AS IT IS ONLY HOOKED UP TO THE OFFICE, APPROXIMATELY 2-3 PERSONS USE THE SANITATION FACILITIES DURING A FIVE DAY WORK WEEK. TOILET, WASHING(SOAP) AND BEVERAGE WASTES ACCOUNT FOR APPROXIMATELY 30 GALLONS OF SEWAGE PER DAY (CAN BE CLASSIFIED AS DOMESTIC WASTES).

12. **OTHER WASTE LIQUIDS-**RAINWATER COLLECTED IN THE CONTAINMENT AREAS. DISPOSAL WILL BE ADDRESSED IN SECTION VIII. **HOWEVER, IT SHOULD BE MADE CLEAR HERE THAT PERMIAN TREATING HAS NOT AND WILL NOT USE RAINWATER IN THE BLENDING OF IT'S CHEMICALS DUE TO THE QUALITY CONTROL THAT HAS ALWAYS EXISTED HERE PERMIAN TREATING CHEMICALS.**

13. **OTHER WASTE SOLIDS-** FLOOR SWEEP WILL NO LONGER BE USED. THE WASTE FLOOR SWEEP AND BLOW DIRT THAT IS NOW ACCUMULATED WILL BE TESTED, CLASSIFIED AND DISPOSED OF WITH AN APPROVED DISPOSAL FACILITY SUCH AS THOSE ENCLOSED ON THE LIST SENT FROM THE NMOCD (SEE THE CONTINGENCY PLAN).

14. **PITS, SUMPS, FLOOR DRAINS, ONSITE INJECTION WELLS & LEACH FIELD-**WE HAVE NONE OF THESE ON THE FACILITY.

15. **OFFICE WASTES**-SMALL OFFICE ACCOUNTS FOR APPROXIMATELY 50 TO 70 POUNDS OF SOLID WASTE PER WEEK. CONSTITUENTS ARE OFFICE PAPER, CARTONS, PLASTIC WRAPPINGS, PENCIL SHAVINGS, PAPER TOWELS AND VARIOUS SMALL AMOUNTS OF FOODSTUFFS AND RELATED PARAPHENALIA SUCH AS PAPER PLATES ETC.. ALL OF THIS IS DISPOSED OF IN A WASTE MANAGEMENT INC. DUMPSTER TO BE PROPERLY DISPOSED OF.

VIII. DESCRIPTION OF CURRENT LIQUID AND SOLID WASTE COLLECTION/STORAGE/DISPOSAL PROCEDURES.

1. WASTES AT OUR FACILITY ARE MINIMAL. THE WASTE ACCUMULATED WOULD POTENTIALLY BE CHEMICAL FROM THE VARIOUS CHEMICALS LISTED IN THE ATTACHED CHEMICAL LIST SHOULD THEY BE SPILLED AND/OR RAINWATER ACCUMULATED.

   THE BULK OF THE CHEMICAL SPILL SHALL BE IMMEDIATELY EVACUATED AND RETURNED TO PRODUCT STORAGE OR UTILIZED IN BLENDING. WHICHEVER IS MOST PRUDENT AT THE TIME. RESIDUE WILL BE WIPED UP WITH RAGS FROM AN ENVIRONMENTALLY APPROVED LINEN SERVICE WHO WILL LAUNDER THEM ACCORDINGLY.

2. RAINWATER CAUGHT IN OUR CONTAINMENT AREAS = AVERAGE RAINFALL FOR THE TATUM AREA IS 15.5 INCHES ANNUALLY. THE MAXIMUM AMOUNT ESTIMATED FOR RAINWATER COLLECTION WOULD BE 4,634.5 GALLONS FOR THE BULK STORAGE CONTAINMENT AND 9,656.5 FOR THE DRUM STORAGE CONTAINMENT, ANNUALLY. IT SHOULD BE NOTED THAT PERMIAN TREATING CHEMICALS INC. HAS NEVER HAD TO DISPOSE OF RAINWATER AS IT HAS ALWAYS EVAPORATED OUT OF EITHER CONTAINMENT UNIT BEFORE DISPOSAL BECAME NECESSARY

   IF IT BECOMES NECESSARY, DISPOSABLE RAINWATER WILL BE DEALT WITH AS BELOW;

   (1) EVAPORATION = THE EVAPORATION RATE FOR THIS PART OF NEW MEXICO IS EXTREMELY HIGH DUE TO THE ARID CLIMATE AND THE EXTREMELY HIGH TEMPERATURES THAT ARE EXPERIENCED DURING AND AFTER EXPECTED RAINY SEASONS. THIS WILL BE THE PRIMARY METHOD UTILIZED.

   (2) TEST AND DRAIN = PERMIAN TREATING CHEMICALS INC. WILL TEST THE ACCUMULATED RAINWATER AS FOLLOWS ;

pH = BETWEEN 6.6 AND 8.6 UTILIZING THE SARGENT WELCH pH METER

TOTAL DISSOLVED SOLIDS = 10,000 mg/l OR LESS (SPECIFIC GRAVITY CROSS REFERENCE AND/OR COMPLETE WATER ANALYSIS).

OIL/GREASE IN WATER = HACH METHOD, CH_3, CCL_3, COLORIMETER.

AND WILL FURTHER

PERFORM VISUAL AND OLFACTORY INSPECTIONS TO DETERMINE IF CONTAMINATED. IF THE WATER PASSES THE TESTS OUTLINED AND SHOWS NO OILY OR MULTICOLORED FILM AND DISPLAYS NO NOTICEABLE SMELL THEN THE WATER WILL BE DRAINED ON THE GROUND ON THE FACILITY.

(3) PROPER DISPOSAL = IF THE RAINWATER FAILS ANY OF THE TESTS OUTLINED IN (2) THEN THE NMOCD WILL BE CONTACTED FOR APPROVAL OF TESTING AND PROPER DISPOSAL WITH AN APPROVED DISPOSAL FACILITY SUCH AS THOSE LISTED IN SECTION XIII OF THIS DOCUMENT.

(4) IF THE RAINWATER IS CLASSIFIED AS HAZARDOUS, THEN THE NMED HRMB SHALL BE CONTACTED FOR GUIDANCE.

3. DISPOSAL OF ACCUMULATED SORBENT AND BLOW SAND WILL BE DONE AT AN APPROVED DISPOSAL FACILITY, SUCH AS THOSE LISTED ON PAGE 10 OF THIS PLAN. TESTING SHALL BE DONE ON THIS WASTE TO DETERMINE CLASSIFICATION PRIOR TO DISPOSAL. NMOCD SHALL BE CONTACTED FOR APPROVAL OF TESTING AND DISPOSAL OF ACCUMULATED WASTES. IF OUR WASTES ARE CLASSIFIED AS HAZARDOUS, PERMIAN TREATING CHEMICALS INC. SHALL CONTACT THE NMED HRMB FOR GUIDANCE

4. COLLECTION OF FURTHER SOLID WASTE IS NOT EXPECTED SINCE PERMIAN TREATING CHEMICALS HAS ELIMINATED THE USE OF FLOOR SWEEP AND HAS BEGUN TO USE THE LINEN SERVICE. HOWEVER, IF THERE ARE FURTHER LIQUID SOLID WASTES THEY WILL BE COLLECTED IN SEALABLE PLASTIC DRUMS AND STORED INSIDE OF THE BLEND PLANT ON THE CONCRETE UNTIL SUFFICIENT AMOUNT IS ACCUMULATED TO WARRANT DISPOSAL. NO HAZARDOUS WASTE WILL BE STORED FOR OVER 90 DAYS. THE REST OF THE WASTES SHALL NOT BE STORED FOR OVER 1 YEAR.

IX. PROPOSED MODIFICATIONS

PERMIAN TREATING INC. WILL INSTALL AND USE A SPECIFIED AREA OF 30 ML. PLASTIC SHEETING FOR STORAGE AND HANDLING OF CONSTANT ROTATION OF USED DRUMS TO THE DRUM RECONDITIONER/INSPECTOR AND NEW & DOT INSPECTED CLEAN DRUMS. THIS WILL PROBABLY BE PLACED ADJACENT TO THE PLANT BUILDING AND BULK STORAGE AREA. THE PHYSICAL CONSTRUCTION OF THIS AREA IS BEING STUDIED AND EVALUATED AT THIS TIME AND WILL BE IMPLEMENTED AS QUICKLY AS POSSIBLE, LIMITED TO THE ECONOMIC CONDITIONS AND GENERAL TREND OF CASH FLOW REQUIREMENTS. THE PROJECT WILL NOT EXCEED THE FIVE YEAR TIME FRAME.

X. INSPECTION MAINTENANCE AND REPORTING

1. BLEND PLANT OPERATORS AND EMPLOYEES PRESENT SHALL ASSURE BEFORE ANY BLENDING DONE, THAT THE INTEGRITY OF ALL LINES AND/OR FLUID CONTAINING EQUIPMENT, IS INTACT AND THAT NO LEAK CAN OCCUR DURING THESE OPERATIONS.

2. ALL CONTAINERS IN PRODUCT STORAGE AREAS SHALL BE INSPECTED EACH TIME THAT A PERMIAN TREATING CHEMICALS EMPLOYEE IS WORKING NEAR OR AROUND SAID UNITS. INSPECTIONS WILL BE PERFORMED FOR INTEGRITY OF DRUMS, LINES, CONTAINMENT UNITS AND VALVES TO ASSURE THAT NO PRODUCT IS LEAKING OR CAN FEASIBLY ESCAPE.

3. PERMIAN TREATING CHEMICALS, CURRENTLY HAS NO SURFACE IMPOUNDMENTS, LEACH FIELDS, UNDERGROUND LINES, OR TANKS REQUIRING MONITORING.

4. ENCLOSED ARE THE PROCEDURES OCD RULE 116 AND WQCC 1-203 TO BE FOLLOWED IN THE CASE OF SPILLS/NOTIFICATION.

5. THE HOBBS OCD OFFICE WILL BE NOTIFIED AT 393-6161

XI. CONTINGENCY PLAN FOR SPILL/LEAK

1. SPILLAGE

DUE TO THE SET UP AND PROCEDURAL PRACTICES OF PERMIAN TREATING INC. AND THE CONTAINMENT UNITS PRESENT IN THE BLEND/STORAGE AREA, THERE ARE NOT ANY SPILLS THAT SHOULD NOT BE RECLAIMED WITHOUT CONTAMINATION. NO SPILL SHOULD EVER ESCAPE THE BLEND/STORAGE FACILITY. THE ONLY EXCEPTION CONCEIVABLE WOULD BE A MAJOR CATASTROPHE OR FORCE OF NATURE.

A. BLEND PLANT-SPILLAGE WILL BE EVACUATED FROM THE CONCRETE FLOOR AND/OR CONTAINMENT TROUGHS AND BLENDED OR STORED BACK IN THE ORIGINAL OR LIKE CONTAINERS. RESIDUAL FLUID WILL BE ABSORBED WITH RAGS FROM AN APPROVED LINEN SERVICE WHO WILL LAUNDER THEM ACCORDINGLY.

B. LOADING DOCK-LOADING AND UNLOADING IS OUR GREATEST POTENTIAL FOR SPILLAGE. ALTHOUGH THE BULK AMOUNTS WILL BE CAUGHT WITHIN THE CONCRETE SPILL CONTAINMENT-SMALLER, PORTABLE AMOUNTS COULD POTENTIALLY BE SPILLED ON THE GROUND WHEN LOADING, WHILE BEING TRANSPORTED ON THE VEHICLES OR WHEN UNLOADED AT THE DESTINATION. THEREFORE EVERY VEHICLE SHALL CARRY SPILL CONTAINMENT KITS CONSISTING OF CONTAINMENT BOOMS AND SORBENTS IN ORDER TO MINIMIZE SPREADING. SPILLAGE WILL BE CLEANED UP QUICKLY AND CONTAMINATED SOIL EXTRACTED IN ORDER TO MINIMIZE LEACHING. ALL CONTAMINATES SHALL BE PLACED IN DRUMS AND STORED AT THE PERMIAN TREATING CHEMICALS INC. FACILITY, PENDING PROPER DISPOSAL.

C. STORAGE DOCK FOR FINISHED PRODUCTS- ALTHOUGH ALL DRUMS ARE STORED SEALED, AND ARE RELATIVELY NEW, THERE STILL REMAINS THE POSSIBILITY OF SPILLAGE WHEN LOADING/UNLOADING OR WHEN CORROSION SETS IN. VISUAL INSPECTION SHOULD BE ADEQUATE SINCE THE DOCK IS ELEVATED 3 FOOT ABOVE GROUND. INSPECTIONS SHALL BE EVERY TIME AN EMPLOYEE APPROACHES THE DOCK FOR WORK REASONS AND A FORMAL INSPECTION SHALL BE PERFORMED MONTHLY BY THE MANAGER.

2. REPORTING PROCEDURES

IN THE EVENT THAT A REPORTABLE QUANTITY (OR SUBSTANTIAL AMOUNT) OF ANY CHEMICAL IS SPILLED THAT DOES OR HAS THE POTENTIAL TO CONTAMINATE THE ENVIRONMENT-THE OIL CONSERVATION DIVISION (OCD) IN HOBBS WILL BE NOTIFIED AS SOON AS POSSIBLE OR WITHIN 24 HOURS OF SAID SPILL. THE NUMBER FOR THE OCD IN HOBBS IS (505) 393-6161.

XII. SITE CHARACTERISTICS

1. **WATER**

AS SHOWN ON THE TOPOGRAPHICAL MAP (ENCLOSED) THERE ARE NO WATERCOURSES, BODIES OF WATER OR WATER DISCHARGE SITES WITHIN ONE MILE OF THIS FACILITY. THERE IS ONE WATER WELL LOCATED BEHIND THE OFFICE TRAILER AT THE SOUTH EAST CORNER USED SOLELY FOR THE OFFICE. COORDINATES FOR OTHER WATER WELLS WITHIN THE ONE MILE RADIUS ARE LISTED ON THE STATE ENGINEERS REPORT ATTACHED.

2. **SAMPLE ANALYSIS**

THE EID WATER WELL FIELD TEST DATED 8-12-92 SHOWS OUR FIRST WATER DEPTH TO BE AT 30 FOOT IN THE VADOSE ZONE, OUR WELL DEPTH IS 70 FOOT. CONDUCTIVITY IS 950 MICROMHOS//CM, ORGANIC VAPOR WAS NOT DETECTED. A COPY OF THE SAMPLE IS ENCLOSED.

3. **FORMATION FOR WATER WELL**- OGALLALA

4. **SOIL TYPE**

PORTALES LOAM
(SEE SOIL CONSERVATION DIVISION REPORT)

5. **FLOODING POTENTIAL**

FLOODING POTENTIAL TO CAUSE CONTAMINATION IS MINIMAL SINCE THE FACILITY RESIDES ON RELATIVELY FLAT LAND AND ALL CHEMICALS ARE ELEVATED, CONTAINED OR ENCLOSED IN THE BUILDING. THE LAND HAS A 2 PERCENT OR LESS GRADE.

XIII OTHER COMPLIANCE INFORMATION

PLEASE SEE ATTACHED OCD AND WQCC REGULATIONS.

AND BLOWOUTS X Inspection Maintenance Rep

A. The Division shall be notified of any fire, break, leak, spill, or blowout occurring at any injection or disposal facility or at any oil or gas drilling, producing, transporting, or processing facility in the State of New Mexico by the person operating or controlling such facility.

B. "Facility," for the purpose of this rule, shall include any oil or gas well, any injection or disposal well, and any drilling or workover well; any pipe line through which crude oil, condensate, casinghead or natural gas, or injection or disposal fluid (gaseous or liquid) is gathered, piped, or transported (including field flow-lines and lead-lines but not including natural gas distribution systems); any receiving tank, holding tank, or storage tank, or receiving and storing receptacle into which crude oil, condensate, injection or disposal fluid, or casinghead or natural gas is produced, received, or stored; any injection or disposal pumping or compression station including related equipment; any processing or refining plant in which crude oil, condensate, or casinghead or natural gas is processed or refined; and any tank or drilling pit or slush pit associated with oil or gas well or injection or disposal well drilling operations or any tank, storage pit, or pond associated with oil or gas production or processing operations or with injection or disposal operations and containing hydrocarbons or hydrocarbon waste or residue, salt water, strong caustics or strong acids, or other deleterious chemicals or harmful contaminants.

C. Notification of such fire, break, leak, spill, or blowout shall be in accordance with the provisions set forth below:

(1) Well Blowouts. Notification of well blowouts and/or fires shall be "immediate notification" described below. ("Well blowout" is defined as being loss of control over and subsequent eruption of any drilling or workover well, or the rupture of the casing, casinghead, or wellhead or any oil or gas well or injection or disposal well, whether active or inactive, accompanied by the sudden emission of fluids, gaseous or liquid, from the well.)

(2) "Major" Breaks, Spills, or Leaks. Notification of breaks, spills, or leaks of 25 or more barrels of crude oil or condensate, or 100 barrels or more of salt water, none of which reaches a watercourse or enters a stream or lake; breaks, spills, or leaks in which one or more barrels of crude oil or condensate or 25 barrels or more of salt water does reach a watercourse or enters a stream or lake; and breaks, spills, or leaks of hydrocarbons or hydrocarbon waste or residue, salt water, strong caustics or strong acids, gases, or other deleterious chemicals or harmful contaminants of any magnitude which may with reasonable probability endanger human health or result in substantial damage to property, shall be "immediate notification" described below.

(3) "Minor" Breaks, Spills, or Leaks. Notification of breaks, spills, or leaks of 5 barrels or more but less than 25 barrels of crude oil or condensate, or 25 barrels or more but less than 100 barrels of salt water, none of which reaches a watercourse or enters a stream or lake, shall be "subsequent notification" described below.

(4) "Gas Leaks and Gas Line Breaks. Notification of gas leaks from any source or of gas pipe line breaks in which natural or casinghead gas of any quantity has escaped or is escaping which may with reasonable probability endanger human health or result in substantial damage to property shall be "immediate notification" described below. Notification of gas pipe line breaks or leaks in which the loss is estimated to be 1000 or more MCF of natural or casinghead gas but in which there is no danger to human health nor of substantial damage to property shall be "subsequent notification" described below.

(5) Tank Fires. Notification of fires in tanks or other receptacles caused by lightning or any other cause, if the loss is, or it appears that the loss will be, 25 or more barrels of crude oil or condensate, or fires which may with reasonable probability endanger human health or result in substantial damage to property, shall be "immediate notification" as described below. If the loss is, or it appears that the loss will be at least 5 barrels but less than 25 barrels, notification shall be "subsequent notification" described below.

(6) Drilling Pits, Slush Pits, and Storage Pits and Ponds. Notification of breaks and spills from any drilling pit, slush pit, or storage pit or pond in which any hydrocarbon or hydrocarbon waste or residue, strong caustic or strong acid, or other deleterious chemical or harmful contaminant endangers human health or does substantial surface damage, or reaches a watercourse or enters a stream or lake in such quantity

(7) IMMEDIATE NOTIFICATION. "Immediate Notification" shall be as soon as possible after discovery and shall be either in person or by telephone to the district office of the Division district in which the incident occurs, or if the incident occurs after normal business hours, to the District Supervisor, the Oil and Gas Inspector, or the Deputy Oil and Gas Inspector. A complete written report ("Subsequent Notification") of the incident shall also be submitted in DUPLICATE to the appropriate district office of the Division within ten days after discovery of the incident.

(8) SUBSEQUENT NOTIFICATION. "Subsequent Notification" shall be a complete written report of the incident and shall be submitted in duplicate to the district office of the Division district in which the incident occurred within ten days after discovery of the incident.

(9) CONTENT OF NOTIFICATION. All reports of fires, breaks, leaks, spills, or blowouts, whether verbal or written, shall identify the location of the incident by quarter-quarter, section, township, and range, and by distance and direction from the nearest town or prominent landmark so that the exact site of the incident can be readily located on the ground. The report shall specify the nature and quantity of the loss and also the general conditions prevailing in the area, including precipitation, temperature, and soil conditions. The report shall also detail the measures that have been taken and are being taken to remedy the situation reported.

(10) WATERCOURSE, for the purpose of this rule, is defined as any lake-bed or gully, draw, stream bed, wash, arroyo, or natural or man-made channel through which water flows or has flowed.

1-203. NOTIFICATION OF DISCHARGE--REMOVAL.

A. With respect to any discharge from any facility of oil or other water contaminant, in such quantity as may with reasonable probability injure or be detrimental to human health, animal or plant life, or property, or unreasonably interfere with the public welfare or the use of property, the following notifications and corrective actions are required:

1. As soon as possible after learning of such a discharge, but in no event more than twenty-four (24) hours thereafter, any person in charge of the facility shall orally notify the Chief, Ground Water Bureau, Environmental Improvement Division, or his counterpart in any constituent agency delegated responsibility for enforcement of these rules as to any facility subject to such delegation. To the best of that person's knowledge, the following items of information shall be provided:

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

b. the name and address of the facility;

c. the date, time, location, and duration of the discharge;

d. the source and cause of discharge;

e. a description of the discharge, including its chemical composition;

f. the estimated volume of the discharge; and

g. any actions taken to mitigate immediate damage from the discharge.

2. When in doubt as to which agency to notify, the person in charge of the facility shall notify the Chief, Ground Water Bureau, Environmental Improvement Division. If that division does not have authority pursuant to Commission delegation, the division shall notify the appropriate constituent agency.

3. Within one week after the discharger has learned of the discharge, the facility owner and/or operator shall send written notification to the same division official, verifying the prior oral notification as to each of the foregoing items and providing any appropriate additions or corrections to the information contained in the prior oral notification.

4. The oral and written notification and reporting requirements contained in the three preceding paragraphs and the paragraphs below are not intended to be duplicative of discharge notification and reporting requirements promulgated by the Oil Conservation Commission (OCC) or by the Oil Conservation Division (OCD); therefore, any facility which is subject to OCC or OCD discharge notification and reporting requirements need not additionally comply with the nofification/and reporting requirements herein.

5. As soon as possible after learning of such a discharge, the owner/operator of the facility shall take such corrective actions as are necessary or appropriate to contain and remove or mitigate the damage caused by the discharge.

6. If it is possible to do so without unduly delaying needed corrective actions, the facility owner/operator shall endeavor to contact and consult with the Chief, Ground Water Bureau, Environmental Improvement Division or appropriate counterpart in a delegated agent, in an effort to determine the division's views as to what further corrective actions may be necessary or appropriate to the discharge in question. In any event, no later than fifteen (15) days after the discharger learns of the discharge, the facility owner/operator shall send to said Bureau Chief a written report describing any corrective actions taken and/or to be taken relative to the discharge. Upon a written request and for good cause shown, the Bureau Chief may extend the time limit beyond fifteen (15) days.

7. The Bureau Chief shall approve or disapprove in writing the foregoing corrective action report within thirty (30) days of its receipt by the division. In the event that the report is not satisfactory to the division, the Bureau Chief shall specify in writing to the facility owner/operator any shortcomings in the report or in the corrective actions already taken or proposed to be taken relative to the discharge, and shall give the facility owner/operator a reasonable and clearly specified time within which to submit a modified corrective action report. The Bureau Chief shall approve or disapprove in writing the modified corrective action report within fifteen (15) days of its receipt by the division.

8. In the event that the modified corrective action report also is unsatisfactory to the division, the facility owner/operator has five (5) days from the notification by the Bureau Chief that it is unsatisfactory to appeal to the division director. The division director shall approve or disapprove the modified corrective action report within five (5) days of receipt of the appeal from the Bureau Chief's decision. In the absence of either corrective action consistent with the approved corrective action report or with the decision of the director concerning the shortcomings of the modified corrective action report, the division may take whatever enforcement or legal action it deems necessary or appropriate.

B. Exempt from the requirements of this section are continuous or periodic discharges which are made;

1. in conformance with water quality control commission regulations and rules, regulations or orders of other state or federal agencies; or

2. in violation of water quality control commission regulations but pursuant to an assurance of discontinuance or schedule of compliance approved by the commission or one of its duly authorized constituent agencies.

C. As used in this section:

1. "discharge" means spilling, leaking, pumping, pouring, emitting, emptying, or dumping into water or in a location and manner where there is a reasonable probability that the discharged substance will reach surface or subsurface water;

2. "facility" means any structure, installation, operation, storage tank, transmission line, motor vehicle, rolling stock, or activity of any kind, whether stationary or mobile;

3. "oil" means oil of any kind or in any form including petroleum, fuel oil, sludge, oil refuse and oil mixed with wastes;

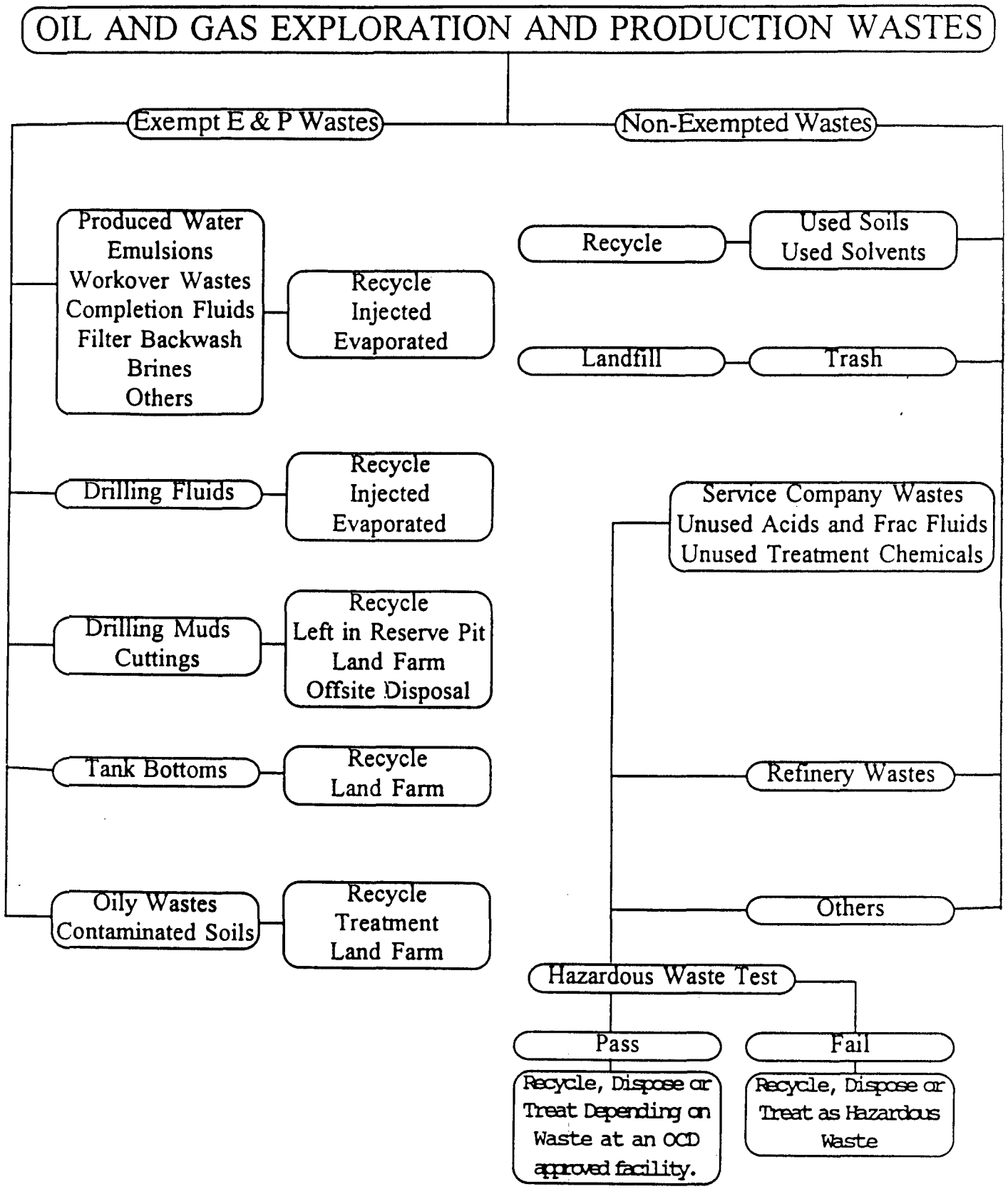
4. "operator" means the person or persons responsible for the overall operations of a facility; and

5. "owner" means the person or persons who own a facility, or part of a facility.

D. Notification of discharge received pursuant to this regulation or information obtained by the exploitation of such notification shall not be used against any such person in any criminal case, except for perjury or for giving a false statement.

XIII - B

New Mexico
OIL FIELD WASTES
CATEGORIES AND DISPOSAL METHODS



Please contact the Oil Conservation Division concerning any waste or disposal methods not listed.

EPA WASTE CLASSIFICATION
O & G EXPLORATION AND PRODUCTION WASTES*

Oil and Natural Gas Exploration and Production Materials and Wastes Exempted by EPA from Consideration as "Hazardous Wastes" (provided non-exempt waste which is or may be "hazardous" has not been added):

EXEMPT

- Produced water;
- Drilling fluids;
- Drill cuttings;
- Rigwash;
- Drilling fluids and cuttings from offshore operations disposed of onshore;
- Geothermal production fluids;
- Hydrogen sulfide abatement wastes from geothermal energy production;
- Well completion, treatment, and stimulation fluids;
- Basic sediment and water and other tank bottoms from storage facilities that hold product and exempt waste;
- Accumulated materials such as hydrocarbons, solids, sand, and emulsion from production separators, fluid treating vessels, and production impoundments;
- Pit sludges and contaminated bottoms from storage or disposal of exempt wastes;
- Workover wastes;
- Gas plant dehydration wastes, including glycol-based compounds, glycol filters, filter media, backwash, and molecular sieves;
- Gas plant sweetening wastes for sulfur removal, including amines, amine filters, amine filter media, backwash, precipitated amine sludge, iron sponge, and hydrogen sulfide scrubber liquid and sludge;
- Cooling tower blowdown;
- Spent filters, filter media, and backwash (assuming the filter itself is not hazardous and the residue in it is from an exempt waste steam);
- Packing fluids;
- Produced sand;
- Pipe scale, hydrocarbon solids, hydrates, and other deposits removed from piping and equipment prior to transportation;
- Hydrocarbon-bearing soil;
- Pigging wastes from gathering lines;
- Wastes from subsurface gas storage and retrieval, except for nonexempt wastes listed below;
- Constituents removed from produced water before it is injected or otherwise disposed of;
- Liquid hydrocarbons removed from the production stream but not from oil refining;
- Gases from the production stream, such as hydrogen sulfide and carbon dioxide, and volatilized hydrocarbons;
- Materials ejected from a producing well during the process known as blowdown;
- Waste crude oil from primary field operations and production;
- Light organics volatilized from exempt wastes in reserve pits or impoundments or production equipment;
- *Liquid and solid wastes generated by crude oil and crude tank bottom reclaimers****.

Materials and Wastes Not Exempted (may be a "hazardous waste" if tests or EPA listing define as "hazardous") **:

- Unused fracturing fluids or acids;
- Gas plant cooling tower cleaning wastes;
- Painting wastes;
- Oil and gas service company wastes, such as empty drums, drum rinsate, vacuum truck rinsate, sandblast media, painting wastes, spent solvents, spilled chemicals, and waste acids;
- Vacuum truck and drum rinsate from trucks and drums transporting or containing non-exempt waste;
- Refinery wastes;
- *Liquid and solid wastes generated by refined oil and product tank bottom reclaimers****;
- Used equipment lubrication oils;
- Waste compressor oil, filters, and blowdown;
- Used hydraulic fluids;
- Waste solvents;
- Waste in transportation pipeline-related pits;
- Caustic or acid cleaners;
- Boiler cleaning wastes;
- Boiler refractory bricks;
- Boiler scrubber fluids, sludges, and ash;
- Incinerator ash;
- Laboratory wastes;
- Sanitary wastes;
- Pesticide wastes;
- Radioactive tracer wastes;
- Drums, insulation, and miscellaneous solids.

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* Source: Federal Register, Wednesday, July 6, 1988, p.25,446 - 25,459.

** See important note on 1990 disposal restrictions for non-exempt waste on reverse.

*** See reverse side for explanation of oil and tank bottom reclaimer listings.

(rev. NMOCD 9/91)

COMMERCIAL SURFACE DISPOSAL FACILITIES

SOUTHEAST

COMPANY	ORDER NO.	LOCATION	WASTE	DATE
Burro Pipeline	R-3238	Lane Salt Lake S13 T10S R32E	PW	1967
C & C	R-9769-A	S02 T20S R37E	LF	1993
CRI	R-9166	S27 T20S R32E	PW TP S M	1990
Daugherty	R-5464	Crosby Salt Lake S24 T08S R29E S19 T08S R30E	PW	1977
ESSR	---	S01 T26S R31E	LF	1993
Loco Hills	R-6811-A	S16 T17S R30E	PW TP	1982
Parabo	R-5516	S29 T21S R38E	PW TP S M	1977 1983
R & R Inc.	---	S05 T02N R01E	PW	1993
Unichem	R-7113	S26 T23S R29E	PW	1982

NORTHWEST

COMPANY	ORDER NO.	LOCATION	WASTE	DATE
Basin Disposal	---	S03 T29N R11W	PW	1985
Envirotech No. 1	---	S26 T27N R11W	LF	1990
Envirotech No. 2	---	S06 T26N R10W	LF	1992
SWWD	---	S04 T29N R09W	PW	1988
Sunco	R-9485-A	S02 T29N R12W	PW	1991
TNT Construction	---	S08 T25N R03W	PW LF	1990 1992
Tierra	R-9772	S02 T29N R12W	LF	1992

PW - Produced Water
TP - Waste Oil Treating Plant
S - Solids
LF - Landfarm (Solids)
M - Drilling Muds

XIII. - A

GUIDELINES

FOR

REMEDIATION

OF

LEAKS, SPILLS AND RELEASES

(AUGUST 13, 1993)

New Mexico Oil Conservation Division

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.**

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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 prcbability 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

Depth To Ground Water	Ranking Score
<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.)

	Total Ranking Score		
	>19	10 - 19	0 - 9
Benzene(ppm)*	10	10	10
BTEX(ppm)*	50	50	50
TPH(ppm)**	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

.) Polynuclear Aromatic Hydrocarbons

- EPA Method 8100

VI. REMEDIATION

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 A

AND BLOWOUTS

A. The Division shall be notified of any fire, break, leak, spill, or blowout occurring at any injection or disposal facility or at any oil or gas drilling, producing, transporting, or processing facility in the State of New Mexico by the person operating or controlling such facility.

B. "Facility," for the purpose of this rule, shall include any oil or gas well, any injection or disposal well, and any drilling or workover well; any pipe line through which crude oil, condensate, casinghead or natural gas, or injection or disposal fluid (gaseous or liquid) is gathered, piped, or transported (including field flow-lines and lead-lines but not including natural gas distribution systems); any receiving tank, holding tank, or storage tank, or receiving and storing receptacle into which crude oil, condensate, injection or disposal fluid, or casinghead or natural gas is produced, received, or stored; any injection or disposal pumping or compression station including related equipment; any processing or refining plant in which crude oil, condensate, or casinghead or natural gas is processed or refined; and any tank or drilling pit or slush pit associated with oil or gas well or injection or disposal well drilling operations or any tank, storage pit, or pond associated with oil or gas production or processing operations or with injection or disposal operations and containing hydrocarbons or hydrocarbon waste or residue, salt water, strong caustics or strong acids, or other deleterious chemicals or harmful contaminants.

C. Notification of such fire, break, leak, spill, or blowout shall be in accordance with the provisions set forth below:

(1) Well Blowouts. Notification of well blowouts and/or fires shall be "immediate notification" described below. ("Well blowout" is defined as being loss of control over and subsequent eruption of any drilling or workover well, or the rupture of the casing, casinghead, or wellhead or any oil or gas well or injection or disposal well, whether active or inactive, accompanied by the sudden emission of fluids, gaseous or liquid, from the well.)

(2) "Major" Breaks, Spills, or Leaks. Notification of breaks, spills, or leaks of 25 or more barrels of crude oil or condensate, or 100 barrels or more of salt water, none of which reaches a watercourse or enters a stream or lake; breaks, spills, or leaks in which one or more barrels of crude oil or condensate or 25 barrels or more of salt water does reach a watercourse or enters a stream or lake; and breaks, spills, or leaks of hydrocarbons or hydrocarbon waste or residue, salt water, strong caustics or strong acids, gases, or other deleterious chemicals or harmful contaminants of any magnitude which may with reasonable probability endanger human health or result in substantial damage to property, shall be "immediate notification" described below.

(3) "Minor" Breaks, Spills, or Leaks. Notification of breaks, spills, or leaks of 5 barrels or more but less than 25 barrels of crude oil or condensate, or 25 barrels or more but less than 100 barrels of salt water, none of which reaches a watercourse or enters a stream or lake, shall be "subsequent notification" described below.

(4) "Gas Leaks and Gas Line Breaks. Notification of gas leaks from any source or of gas pipe line breaks in which natural or casinghead gas of any quantity has escaped or is escaping which may with reasonable probability endanger human health or result in substantial damage to property shall be "immediate notification" described below. Notification of gas pipe line breaks or leaks in which the loss is estimated to be 1000 or more MCF of natural or casinghead gas but in which there is no danger to human health nor of substantial damage to property shall be "subsequent notification" described below.

(5) Tank Fires. Notification of fires in tanks or other receptacles caused by lightning or any other cause, if the loss is, or it appears that the loss will be, 25 or more barrels of crude oil or condensate, or fires which may with reasonable probability endanger human health or result in substantial damage to property, shall be "immediate notification" as described below. If the loss is, or it appears that the loss will be at least 5 barrels but less than 25 barrels, notification shall be "subsequent notification" described below.

(6) Drilling Pits, Slush Pits, and Storage Pits and Ponds. Notification of breaks and spills from any drilling pit, slush pit, or storage pit or pond in which any hydrocarbon or hydrocarbon waste or residue, strong caustic or strong acid, or other deleterious chemical or harmful contaminant endangers human health or does substantial surface damage, or reaches a watercourse or enters a stream or lake in such quantity

(7) IMMEDIATE NOTIFICATION. "Immediate Notification" shall be as soon as possible after discovery and shall be either in person or by telephone to the district office of the Division district in which the incident occurs, or if the incident occurs after normal business hours, to the District Supervisor, the Oil and Gas Inspector, or the Deputy Oil and Gas Inspector. A complete written report ("Subsequent Notification") of the incident shall also be submitted in DUPLICATE to the appropriate district office of the Division within ten days after discovery of the incident.

(8) SUBSEQUENT NOTIFICATION. "Subsequent Notification" shall be a complete written report of the incident and shall be submitted in duplicate to the district office of the Division district in which the incident occurred within ten days after discovery of the incident.

(9) CONTENT OF NOTIFICATION. All reports of fires, breaks, leaks, spills, or blowouts, whether verbal or written, shall identify the location of the incident by quarter-quarter, section, township, and range, and by distance and direction from the nearest town or prominent landmark so that the exact site of the incident can be readily located on the ground. The report shall specify the nature and quantity of the loss and also the general conditions prevailing in the area, including precipitation, temperature, and soil conditions. The report shall also detail the measures that have been taken and are being taken to remedy the situation reported.

(10) WATERCOURSE, for the purpose of this rule, is defined as any lake-bed or gully, draw, stream bed, wash, arroyo, or natural or man-made channel through which water flows or has flowed.

APPENDIX B

1-203. NOTIFICATION OF DISCHARGE--REMOVAL.

A. With respect to any discharge from any facility of oil or other water contaminant, in such quantity as may with reasonable probability injure or be detrimental to human health, animal or plant life, or property, or unreasonably interfere with the public welfare or the use of property, the following notifications and corrective actions are required:

1. As soon as possible after learning of such a discharge, but in no event more than twenty-four (24) hours thereafter, any person in charge of the facility shall orally notify the Chief, Ground Water Bureau, Environmental Improvement Division, or his counterpart in any constituent agency delegated responsibility for enforcement of these rules as to any facility subject to such delegation. To the best of that person's knowledge, the following items of information shall be provided:

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

b. the name and address of the facility;

c. the date, time, location, and duration of the discharge;

d. the source and cause of discharge;

e. a description of the discharge, including its chemical composition;

f. the estimated volume of the discharge; and

g. any actions taken to mitigate immediate damage from the discharge.

2. When in doubt as to which agency to notify, the person in charge of the facility shall notify the Chief, Ground Water Bureau, Environmental Improvement Division. If that division does not have authority pursuant to Commission delegation, the division shall notify the appropriate constituent agency.

3. Within one week after the discharger has learned of the discharge, the facility owner and/or operator shall send written notification to the same division official, verifying the prior oral notification as to each of the foregoing items and providing any appropriate additions or corrections to the information contained in the prior oral notification.

4. The oral and written notification and reporting requirements contained in the three preceding paragraphs and the paragraphs below are not intended to be duplicative of discharge notification and reporting requirements promulgated by the Oil Conservation Commission (OCC) or by the Oil Conservation Division (OCD); therefore, any facility which is subject to OCC or OCD discharge notification and reporting requirements need not additionally comply with the nofification/and reporting requirements herein.

5. As soon as possible after learning of such a discharge, the owner/operator of the facility shall take such corrective actions as are necessary or appropriate to contain and remove or mitigate the damage caused by the discharge.

6. If it is possible to do so without unduly delaying needed corrective actions, the facility owner/operator shall endeavor to contact and consult with the Chief, Ground Water Bureau, Environmental Improvement Division or appropriate counterpart in a delegated agent, in an effort to determine the division's views as to what further corrective actions may be necessary or appropriate to the discharge in question. In any event, no later than fifteen (15) days after the discharger learns of the discharge, the facility owner/operator shall send to said Bureau Chief a written report describing any corrective actions taken and/or to be taken relative to the discharge. Upon a written request and for good cause shown, the Bureau Chief may extend the time limit beyond fifteen (15) days.

7. The Bureau Chief shall approve or disapprove in writing the foregoing corrective action report within thirty (30) days of its receipt by the division. In the event that the report is not satisfactory to the division, the Bureau Chief shall specify in writing to the facility owner/operator any shortcomings in the report or in the corrective actions already taken or proposed to be taken relative to the discharge, and shall give the facility owner/operator a reasonable and clearly specified time within which to submit a modified corrective action report. The Bureau Chief shall approve or disapprove in writing the modified corrective action report within fifteen (15) days of its receipt by the division.

8. In the event that the modified corrective action report also is unsatisfactory to the division, the facility owner/operator has five (5) days from the notification by the Bureau Chief that it is unsatisfactory to appeal to the division director. The division director shall approve or disapprove the modified corrective action report within five (5) days of receipt of the appeal from the Bureau Chief's decision. In the absence of either corrective action consistent with the approved corrective action report or with the decision of the director concerning the shortcomings of the modified corrective action report, the division may take whatever enforcement or legal action it deems necessary or appropriate.

B. Exempt from the requirements of this section are continuous or periodic discharges which are made;

1. in conformance with water quality control commission regulations and rules, regulations or orders of other state or federal agencies; or

2. in violation of water quality control commission regulations but pursuant to an assurance of discontinuance or schedule of compliance approved by the commission or one of its duly authorized constituent agencies.

C. As used in this section:

1. "discharge" means spilling, leaking, pumping, pouring, emitting, emptying, or dumping into water or in a location and manner where there is a reasonable probability that the discharged substance will reach surface or subsurface water;

2. "facility" means any structure, installation, operation, storage tank, transmission line, motor vehicle, rolling stock, or activity of any kind, whether stationary or mobile;

3. "oil" means oil of any kind or in any form including petroleum, fuel oil, sludge, oil refuse and oil mixed with wastes;

4. "operator" means the person or persons responsible for the overall operations of a facility; and

5. "owner" means the person or persons who own a facility, or part of a facility.

D. Notification of discharge received pursuant to this regulation or information obtained by the exploitation of such notification shall not be used against any such person in any criminal case, except for perjury or for giving a false statement.

APPENDIX C

TELEPHONE LISTING OIL CONSERVATION
FAX NO. 827-8177

MAIN LINE - 827-7131

DIRECTOR'S OFFICE:

William LeMay	827-7132
Florene Davidson	827-7132
Sally Martinez	827-7133

GAS MARKETING

Ron Merrett	827-7146
Lyn Hebert	827-1364
Dorothy Phillips	827-7137
Angela Romero	827-7148
Chris Williams	827-7149

ADMINISTRATIVE BUREAU

Edwin Martin	827-7151
Mary Anaya	827-7150
Lupe Sherman	827-7178

ENVIRONMENTAL BUREAU

Roger Anderson	827-7152
Mark Ashley	827-7155
Pat Sanchez	827-7156
Chris Eustice	827-7153
William Olson	827-7154
Mobil No.	660-1067

RECORDS CENTER

Elizabeth Roybal	827-8164
Lawrence Romero	827-8166

HEARING ROOM - 827-7082

LEGAL BUREAU

Rand Carroll	827-8156
Diane Richardson	827-8153

ENGINEERING BUREAU

David Catanach	827-8184
Roy Johnson	827-8198
Michael Stogner	827-8185
Ben Stone	827-8186
Kathy Valdes	827-8182
Vacant	827-8183

KEY ENTRY SECTION

Becky Espy	827-8194
Rick Brown	827-1363
Fran Chavez	827-7158
Dolly Huffman	827-8196
Isabel Montoya	827-8195
Lynn Rivera	827-8197
Andrea Lauber	827-1362

ONGARD IMPLEMENTATION

Ed Martin	827-7151

DISTRICT OFFICES

Aztec	334-6178
Artesia	748-1283
Hobbs	393-6161

FAX NOS. FOR DISTRICTS

AZTEC	334-6170
ARTESIA	748-9720
HOBBS	393-0720

SUPPLEMENTAL SOIL AND WATER INFORMATION (XII. SITE CHARACTERISTICS)

ENGINEERING INDEX PROPERTIES

N T

Map symbol and soil name	Depth	USDA texture	Classification		Fragments		Percentage passing sieve number--				Liquid limit	Plasticity index
			Unified	AASHTO	>10 inches	3-10 inches	4	10	40	200		
	In				Pct	Pct					Pct	
Ph:												
Portales	0-8	Loam	CL-ML	A-4	0	0	100	95-100	90-100	60-70	25-30	5-10
	8-60	Loam, clay loam	CL	A-6	0	0	100	95-100	90-100	60-80	30-40	10-20

ENGINEERING INDEX PROPERTIES

Endnote -- ENGINEERING INDEX PROPERTIES

This report gives estimates of the engineering classification and of the range of index properties for the major layers of each soil in the survey area. Most soils have layers of contrasting properties within the upper 5 or 6 feet.

DEPTH to the upper and lower boundaries of each layer is indicated. The range in depth and information on other properties of each layer are given in the published Soil Survey for each soil series under "Soil Series and Their Morphology."

TEXTURE is given in the standard terms used by the U.S. Department of Agriculture. These terms are defined according to percentages of sand, silt, and clay in the fraction of the soil that is less than 2 millimeters in diameter. "Loam," for example, is soil that is 7 to 27 percent clay, 28 to 50 percent silt, and less than 52 percent sand. If the content of particles coarser than sand is as much as about 15 percent, an appropriate modifier is added, for example, "gravelly." Textural terms are defined in the Soil Survey Glossary.

Classification of the soils is determined according to the Unified soil classification system and the system adopted by the American Association of State Highway and Transportation Officials.

The UNIFIED system classifies soils according to properties that affect their use as construction material. Soils are classified according to grain-size distribution of the fraction less than 3 inches in diameter and according to plasticity index, liquid limit, and organic matter content. Sandy and gravelly soils are identified as GW, GP, GM, GC, SW, SP, SM, and SC; silty and clayey soils as ML, CL, OL, MH, CH, and OH; and highly organic soils as PT. Soils exhibiting engineering properties of two groups can have a dual classification, for example, CL-ML.

The AASHTO system classifies soils according to those properties that affect roadway construction and maintenance. In this system, the fraction of a mineral soil that is less than 3 inches in diameter is classified in one of seven groups from A-1 through A-7 on the basis of grain-size distribution, liquid limit, and plasticity index. Soils in group A-1 are coarse grained and low in content of fines (silt and clay). At the other extreme, soils in group A-7 are fine grained. Highly organic soils are classified in group A-8 on the basis of visual inspection. If laboratory data are available, the A-1, A-2, and A-7 groups are further classified as A-1-a, A-1-b, A-2-4, A-2-5, A-2-6, A-2-7, A-7 5, or A-7-6. As an additional refinement, the suitability of a soil as subgrade material can be indicated by a group index number. Group index numbers range from 0 for the best subgrade material to 20 or higher for the poorest.

Rock FRAGMENTS larger than 3 inches in diameter are indicated as a percentage of the total soil on a dry-weight basis. The percentages are estimates determined mainly by converting volume percentage in the field to weight percentage.

Percentage of soil particles passing designated sieves (PERCENTAGE PASSING SIEVE NUMBER--)is the percentage of the soil fraction less than 3 inches in diameter based on an ovendry weight. The sieves, numbers 4, 10, 40, and 200 (USA Standard Series), have openings of 4.76, 2.00, 0.420, and 0.074 millimeters, respectively. Estimates are based on laboratory tests of soils sampled in the survey area and in nearby areas and on estimates made in the field.

LIQUID LIMIT and PLASTICITY INDEX (Atterberg limits) indicate the plasticity characteristics of a soil. The estimates are based on test data from the survey area or from nearby areas and on field examination. The estimates of grain-size distribution, liquid limit, and plasticity index are generally rounded to the nearest 5 percent. Thus, if the ranges of gradation and Atterberg limits extend a marginal amount (1 or 2 percentage points) across classification boundaries, the classification in the marginal zone is omitted in this report.

CHEMICAL PROPERTIES OF THE SOILS
N T

Map symbol and soil name	Depth	Clay	Cation exchange capacity	Soil reaction	Calcium carbonate	Gypsum	Salinity	Sodium adsorption ratio
	In	Pct	meq/100g	pH	Pct	Pct	mmhos/cm	
Ph:								
Portales--------	0-8	15-25	---	7.4-8.4	---	---	0-2	---
	8-60	18-35	---	7.4-8.4	---	---	0-2	---

CHEMICAL PROPERTIES OF THE SOILS

Endnote -- CHEMICAL PROPERTIES OF THE SOILS

This report shows estimates of some characteristics and features that affect soil behavior. These estimates are given for the major layers of each soil in the survey area. The estimates are based on field observations and on test data for these and similar soils.

CLAY as a soil separate consists of mineral soil particles that are less than 0.002 millimeter in diameter. In this report, the estimated clay content of each major soil layer is given as a percentage, by weight, of the soil material that is less than 2 millimeters in diameter. The amount and kind of clay greatly affect the fertility and physical condition of the soil. They determine the ability of the soil to adsorb cations and to retain moisture. They influence shrink-swell potential, permeability, and plasticity, the ease of soil dispersion, and other soil properties. The amount and kind of clay in a soil also affect tillage and earthmoving operations.

CATION EXCHANGE CAPACITY (CEC) is the total amount of cations held in a soil in such a way that they can be removed only by exchanging with another cation in the natural soil solution. CEC is a measure of the ability of a soil to retain cations, some of which are plant nutrients. Soils with low CEC hold few cations and may require more frequent applications of fertilizers than soils with high CEC. Soils with high CEC have the potential to retain cations, thus reducing the possibility of pollution of ground water.

SOIL REACTION is a measure of acidity or alkalinity and is expressed as a range in pH values. The range in pH of each major horizon is based on many field tests. For many soils, values have been verified by laboratory analyses. Soil reaction is important in selecting crops and other plants, in evaluating soil amendments for fertility and stabilization, and in determining the risk of corrosion.

CALCIUM CARBONATE is the percentage by weight of calcium carbonate in the fine-earth material, less than 2 millimeters in size.

GYPSUM is the percentage by weight of hydrated calcium sulfates 20 millimeters or smaller in size, in the soil.

SALINITY is a measure of soluble salts in the soil at saturation. It is expressed as the electrical conductivity of the saturation extract, in millimhos per centimeter at 25 degrees C. Estimates are based on field and laboratory measurements at representative sites of nonirrigated soils.

The salinity of irrigated soils is affected by the quality of the irrigation water and by the frequency of water application. Hence, the salinity of soils in individual fields can differ greatly from the value given in the report. Salinity affects the suitability of a soil for crop production, the stability of soil if used as construction material, and the potential of the soil to corrode metal and concrete.

SODIUM ADSORPTION RATIO (SAR) expresses the relative activity of sodium ions in exchange reactions in the soil. SAR is a measure of the amount of sodium relative to calcium and magnesium in the water extract from saturated soil paste.

NONTECHNICAL SOILS DESCRIPTION REPORT

N T

Symbol	Soil name and description
Ph	Portales loam, 0 to 1 percent slopes Soil depth - deep; Soil drainage - well drained; Surface layer - loam about 8 inches thick; Subsoil - loam 4 inches thick; Substratum - loam to a depth of 60 inches; Permeability - moderate; AWC - high; Water erosion hazard - slight; Soil blowing hazard - severe; Capability subclass 2e (IRR) (UA) 6c (AU) 4c (NIRR); T-5; WEG-4L; I- 86; Limitations: high lime content.

PHYSICAL PROPERTIES OF SOILS
N T

(Entries under "Erosion factors--T" apply to the entire profile. Entries under "Wind erodibility group" and "Wind erodability index" apply only to the surface layer)

Map symbol and soil name	Depth	Clay	Moist bulk density	Permeability	Available water capacity	Shrink-swell potential	Organic matter	Erosion factors			Wind erodibility group	Wind erodibility index
								K	Kf	T		
	In	Pct	g/cc	In/hr	In/in		Pct					
Ph:												
Portales--------	0-8	15-25	1.30-1.40	0.60-2.00	0.17-0.19	Low	1.0-2.0	0.37	0.37	5	4L	---
	8-60	18-35	1.40-1.50	0.60-2.00	0.18-0.20	Moderate	---	0.37	0.37			

PHYSICAL PROPERTIES OF SOILS

Endnote -- PHYSICAL PROPERTIES OF SOILS

This report shows estimates of some characteristics and features that affect soil behavior. These estimates are given for the major layers of each soil in the survey area. The estimates are based on field observations and on test data for these and similar soils.

CLAY as a soil separate consists of mineral soil particles that are less than 0.002 millimeter in diameter. In this report, the estimated clay content of each major soil layer is given as a percentage, by weight, of the soil material that is less than 2 millimeters in diameter. The amount and kind of clay greatly affect the fertility and physical condition of the soil. They determine the ability of the soil to adsorb cations and to retain moisture. They influence shrink-swell potential, permeability, plasticity, the ease of soil dispersion, and other soil properties. The amount and kind of clay in a soil also affect tillage and earthmoving operations.

MOIST BULK DENSITY is the weight of soil (ovendry) per unit volume. Volume is measured when the soil is at field moisture capacity, the moisture content at 1/3 bar moisture tension. Weight is determined after drying the soil at 105 degrees C. In this report, the estimated moist bulk density of each major soil horizon is expressed in grams per cubic centimeter of soil material that is less than 2 millimeters in diameter. Bulk density data are used to compute shrink-swell potential, available water capacity, total pore space, and other soil properties. The moist bulk density of a soil indicates the pore space available for water and roots. A bulk density of more than 1.6 can restrict water storage and root penetration. Moist bulk density is influenced by texture, kind of clay, content of organic matter, and soil structure.

PERMEABILITY refers to the ability of a soil to transmit water or air. The estimates indicate the rate of downward movement of water when the soil is saturated. They are based on soil characteristics observed in the field, particularly structure, porosity, and texture. Permeability is considered in the design of soil drainage systems, septic tank absorption fields, and construction where the rate of water movement under saturated conditions affects behavior.

AVAILABLE WATER CAPACITY refers to the quantity of water that the soil is capable of storing for use by plants. The capacity for water storage is given in inches of water per inch of soil for each major soil layer. The capacity varies, depending on soil properties that affect the retention of water and the depth of the root zone. The most important properties are the content of organic matter, soil texture, bulk density, and soil structure. Available water capacity is an important factor in the choice of plants or crops to be grown and in the design and management of irrigation systems. Available water capacity is not an estimate of the quantity of water actually available to plants at any given time.

SHRINK-SWELL POTENTIAL is the potential for volume change in a soil with a loss or gain of moisture. Volume change occurs mainly because of the interaction of clay minerals with water and varies with the amount and type of clay minerals in the soil. The size of the load on the soil and the magnitude of the change in soil moisture content influence the amount of swelling of soils in place. Laboratory measurements of swelling of undisturbed clods were made for many soils. For others, swelling was estimated on the basis of the kind and amount of clay minerals in the soil and on measurements of similar soils. If the shrink-swell potential is rated moderate to very high, shrinking and swelling can cause damage to buildings, roads, and other structures. Special design is often needed. Shrink-swell potential classes are based on the change in length of an unconfined clod as moisture content is increased from air-dry to field capacity. The change is based on the soil fraction less than 2 millimeters in diameter. The classes are "Low," a change of less than 3 percent; "Moderate," 3 to 6 percent; and "High," more than 6 percent. "Very high," greater than 9 percent, is sometimes used.

PHYSICAL PROPERTIES OF SOILS

Endnote -- PHYSICAL PROPERTIES OF SOILS--Continued

ORGANIC MATTER is the plant and animal residue in the soil at various stages of decomposition. In report J, the estimated content of organic matter is expressed as a percentage, by weight, of the soil material that is less than 2 millimeters in diameter. The content of organic matter in a soil can be maintained or increased by returning crop residue to the soil. Organic matter affects the available water capacity, infiltration rate, and tilth. It is a source of nitrogen and other nutrients for crops.

EROSION FACTOR K indicates the susceptibility of the whole soil (including rocks and rock fragments) to sheet and rill erosion by water. Factor K is one of six factors used in the Universal Soil Loss Equation (USLE) to predict the average annual rate of soil loss by sheet and rill erosion in tons per acre per year. The estimates are based primarily on percentage of silt, sand, and organic matter (up to 4 percent) and on soil structure and permeability. Values of K range from 0.05 to 0.69. The higher the value, the more susceptible the soil is to sheet and rill erosion by water.

EROSION FACTOR Kf is like EROSION FACTOR K but it is for the fine-earth fraction of the soil. Rocks and rock fragments are not considered.

EROSION FACTOR T is an estimate of the maximum average annual rate of soil erosion by wind or water that can occur without affecting crop productivity over a sustained period. The rate is in tons per acre per year.

WIND ERODIBILITY GROUPS are made up of soils that have similar properties affecting their resistance to wind erosion in cultivated areas. The groups indicate the susceptibility of soil to wind erosion. Soils are grouped according to the following distinctions:

1. Coarse sands, sands, fine sands, and very fine sands. These soils are generally not suitable for crops. They are extremely erodible, and vegetation is difficult to establish.

2. Loamy coarse sands, loamy sands, loamy fine sands, loamy very fine sands, and sapric soil material. These soils are very highly erodible. Crops can be grown if intensive measures to control wind erosion are used.

3. Coarse sandy loams, sandy loams, fine sandy loams, and very fine sandy loams. These soils are highly erodible. Crops can be grown if intensive measures to control wind erosion are used.

4L. Calcareous loams, silt loams, clay loams, and silty clay loams. These soils are erodible. Crops can be grown if intensive measures to control wind erosion are used.

4. Clays, silty clays, noncalcareous clay loams, and silty clay loams that are more than 35 percent clay. These soils are moderately erodible. Crops can be grown if measures to control wind erosion are used.

PHYSICAL PROPERTIES OF SOILS

Endnote -- PHYSICAL PROPERTIES OF SOILS--Continued

5. Noncalcareous loams and silt loams that are less than 20 percent clay and sandy clay loams, sandy clays, and hemic soil material. These soils are slightly erodible. Crops can be grown if measures to control wind erosion are used.

6. Noncalcareous loams and silt loams that are more than 20 percent clay and noncalcareous clay loams that are less than 35 percent clay. These soils are very slightly erodible. Crops can be grown if ordinary measures to control wind erosion are used.

7. Silts, noncalcareous silty clay loams that are less than 35 percent clay, and fibric soil material. These soils are very slightly erodible. Crops can be grown if ordinary measures to control wind erosion are used.

8. Soils that are not subject to wind erosion because of coarse fragments on the surface or because of surface wetness.

The WIND ERODIBILITY INDEX is used in the wind erosion equation (WEQ). The index number indicates the amount of soil lost in tons per acre per year. The range of wind erodibility index numbers is 0 to 300.

STATE OF NEW MEXICO

STATE ENGINEER OFFICE

Thomas C. Turney
STATE ENGINEER

ROSWELL

DISTRICT II
1900 West Second St.
Roswell, New Mexico 88201
(505) 622-6521

August 10, 1995

Wade Rohloff
1118 West Broadway
Hobbs, NM 88240

Dear Sir:

Please find enclosed information requested from this office concerning water levels within a one mile radius around T.12S., R.36E.,Section 30. The printed sheets did not show the 1991 readings so have shown those below.

	Δ 1986-1991	1991 Depth To Water	Water Level Below Land Surface
T.12S.,R.35E.,Sec.24,NW¼NW¼SW¼SW¼	1	21.98	4003
T.12S.,R.35E.,Sec.24,SW¼SE¼NW¼SE¼	1	24.80	3996
T.12S.,R.35E.,Sec.25,NE¼NE¼NE¼SE¼	1	29.55	3985
T.12S.,R.35E.,Sec.36,SW¼NW¼SE¼NE¼	1	34.26	3983
T.12S.,R.35E.,Sec.24,SW¼SE¼NW¼SE¼	1	24.80	3996
T.12S.,R.35E.,Sec.36,SE¼SE¼SE¼SE¼	1	36.60	3979
T.12S.,R.36E.,Sec.19,NE¼SW¼NE¼NE¼	1	27.99	3977
T.12S.,R.36E.,Sec.29,SE¼NW¼NW¼NW¼	1	31.79	3973
T.12S.,R.36E.,Sec.29,NW¼NW¼SE¼NE¼	1	25.64	3971
T.12S.,R.36E.,Sec.30,NW¼NW¼NE¼NW¼	1	25.10	3984
T.12S.,R.36E.,Sec.31,SW¼NW¼NE¼NE¼	+1	34.14	3973
T.12S.,R.36E.,Sec.32,SE¼SW¼NW¼SW¼	+2	37.55	3966(oil on water)

+indicates water level rise

If you have any more questions or need any further information, please do not hesitate to contact me.

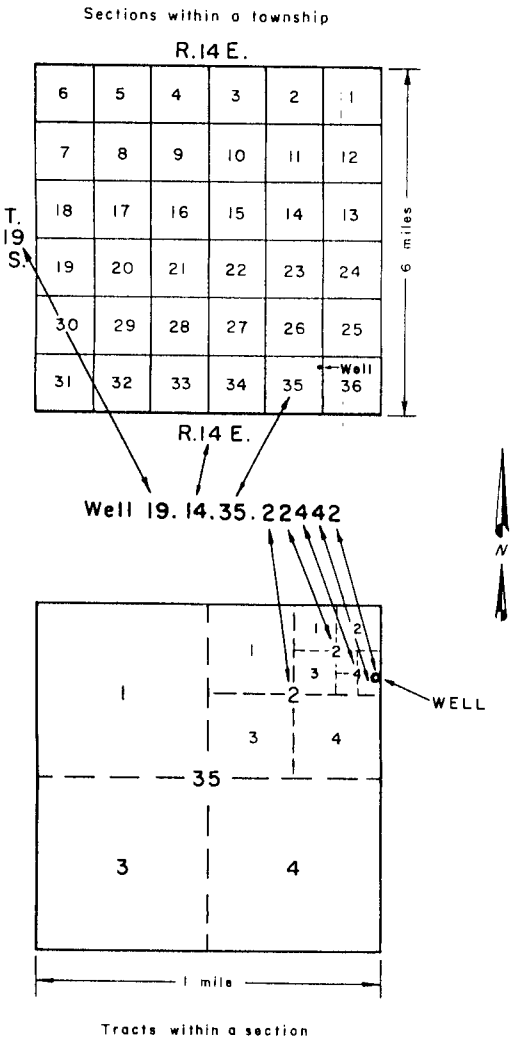
Sincerely,

Keith O'Hare

Keith O'Hare
Water Resource Spec. II

KO/lc
encs.
cc: Santa Fe

Diagram: System of numbering wells in New Mexico.



FS - 49 - D

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

(GW-215) -Permian Treating Chemicals, Inc., Mr. Gale Blackwell, (505)-398-4111, P.O. BOX 815, Tatum, NM, 88267 has submitted a Discharge plan application for their Tatum facility located in the NE/4, Section 30, Township 12 South, Range 36 East, NMPM, Lea County, New Mexico. All effluents that may be generated at the facility will be collected in a closed top tank and transported offsite for disposal at an OCD approved facility; Groundwater most likely to be affected by a spill, leak, or accidental discharge to the surface is at a depth of approximately 30 feet with a total dissolved solids concentration of approximately 712 mg/L. The discharge plan addresses how spills, leaks, and other accidental discharges to the surface will be managed.

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

If no public hearing is held, the Director will approve or disapprove the proposed plan based on information available. If a public hearing is held, the director will approve or disapprove the proposed plan based on information in the plan and information submitted at the hearing.

GIVEN under the Seal of New Mexico Oil Conservation Commission at Santa Fe, New Mexico, on this 24th day of July, 1995.

STATE OF NEW MEXICO
OIL CONSERVATION DIVISION

S E A L

WILLIAM J. LEMAY, Director

NO EFFECT FINDING

The described action will have no effect on listed species, wetlands, or other important wildlife resources.

Date 8/7/95

Consultation # GWOCD95-1

Approved by

U.S. FISH and WILDLIFE SERVICE
NEW MEXICO ECOLOGICAL SERVICES FIELD OFFICE
ALBUQUERQUE, NEW MEXICO

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

(GW-213) Permian Treating Chemicals, Inc., Mr. Gale Blackwell, (505)-398-4111, P.O. Box 615, Tatum, NM 88267 has submitted a Discharge plan application for their Tatum facility located in the NE/4, Section 10, Township 12 South, Range 36 East, NMPM, Lea County, New Mexico. All effluents that may be generated at the facility will be collected in a closed top tank and transported offsite for disposal at an OCD approved facility. Groundwater most likely to be affected by a spill, leak, or accidental discharge to the surface is at a depth of approximately 30 feet with a total dissolved solids concentration of approximately 712 mg/L. The discharge plan addresses how spills, leaks, and other accidental discharges to the surface will be managed.

Any interested person may obtain further information from the Oil Conservation Division and may submit written comments to the Director of the Oil Conservation Division at the address given above. The discharge plan application may be viewed at the above address [illegible]

Clay
7/1/95

STATE OF NEW MEXICO
County of Bernalillo SS

RECEIVED
AUG - 7 1995
OIL CONSERVATION DIVISION

Bill Tafoya being duly sworn declares and says that he is Classified Advertising manager of **The Albuquerque Journal**, and that this newspaper is duly qualified to publish legal notices or advertisements within the meaning of Section 3, Chapter 167, Session Laws of 1937, and that payment therefore has been made of assessed as court cost; that the notice, copy of which is hereto attached, was published in said paper in the regular daily edition, for 1 times, the first publication being of the 31 day of July, 1995, and the subsequent consecutive publications on ______, 1995.

Bill Tafoya

OFFICIAL SEAL
Corrina Duncan
NOTARY PUBLIC
STATE OF NEW MEXICO
My Commission Expires: 12-8-98

Sworn and subscribed to before me, a notary Public in and for the County of Bernalillo and State of New Mexico, this 3 day of July 1995

PRICE 35.55

Statement to come at end of month.

Corrina Duncan

CLA-22-A (R-1/93) ACCOUNT NUMBER C80932

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

(GW-215) -Permian Treating Chemicals, Inc., Mr. Gale Blackwell, (505)-398-4111, P.O. BOX 815, Tatum, NM, 88267 has submitted a Discharge plan application for their Tatum facility located in the NE/4, Section 30, Township 12 South, Range 36 East, NMPM, Lea County, New Mexico. All effluents that may be generated at the facility will be collected in a closed top tank and transported offsite for disposal at an OCD approved facility; Groundwater most likely to be affected by a spill, leak, or accidental discharge to the surface is at a depth of approximately 30 feet with a total dissolved solids concentration of approximately 712 mg/L. The discharge plan addresses how spills, leaks, and other accidental discharges to the surface will be managed.

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

If no public hearing is held, the Director will approve or disapprove the proposed plan based on information available. If a public hearing is held, the director will approve or disapprove the proposed plan based on information in the plan and information submitted at the hearing.

GIVEN under the Seal of New Mexico Oil Conservation Commission at Santa Fe, New Mexico, on this 24th day of July, 1995.

STATE OF NEW MEXICO
OIL CONSERVATION DIVISION

S E A L

WILLIAM J. LEMAY, Director

- 215

PERMIAN TREATING CHEMICALS INC.

RECEIVED
JUL 21 1995
Environmental Bureau
Oil Conservation Division

WASTE
DISCHARGE PLAN

FACILITY AT HIGHWAY 380
TATUM, NEW MEXICO
SECTION-30, TOWNSHIP-12, RANGE-36
4.34 ACRES, LOCATION NE4

PREPARED BY;
ACTION SAFETY INC.
P.O. DRAWER D
HOBBS, N.M. 88240
(505) 393-3501

I. TYPE OF OPERATION

THE MANUFACTURE, PRODUCTION AND SALE OF SURFACE AND DOWNHOLE PRODUCTION WELL TREATING CHEMICALS. OUR SURFACE PRODUCTS ARE PURCHASED AND USED WITHIN THE SYSTEM OF OILFIELD PRODUCTION EQUIPMENT. DOWNHOLE PRODUCTS ARE PURCHASED FROM US AND USED DOWNHOLE TO BREAK DOWN PARAFFIN, INHIBIT CORROSION, SCALE AND FOR CLEANER INTERNAL FLUID MOVEMENT TO SUSTAIN PRODUCTION.

II. OPERATOR

MR. GALE BLACKWELL
P.O. BOX 815
TATUM, N.M. 88267
(505) 398-4111

III. LOCATION OF DISCHARGE

SECTION-30, TOWNSHIP-12, RANGE-36
4.34 ACRES, LOC NE4,
COMMONLY KNOWN AS;
HIGHWAY 380 WEST
CITY OF TATUM
LEA COUNTY, NEW MEXICO

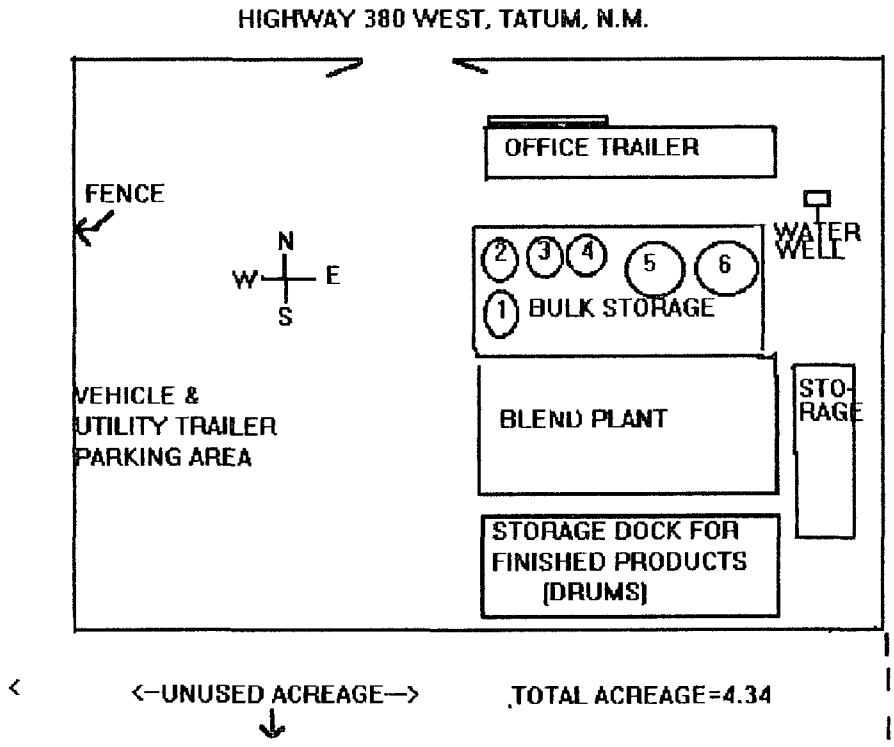
IV. LANDOWNER

MR. GALE BLACKWELL

V. FACILITY DESCRIPTION

PERMIAN TREATING CHEMICALS INC. IS LOCATED AT THE EXTREME WESTERN EDGE OF TATUM (OUTSIDE THE CITY LIMITS) ON THE SOUTH SIDE OF HWY 380 AND IS NOWHERE NEAR ANY WATERCOURSE (SEE TOPOGRAPHICAL MAP INCLOSED) DRY OR OTHERWISE.

SEE DIAGRAM



W=WATER WELL

THE WATER WELL IS 70 FOOT DEEP AND IS USED FOR THE OFFICE FACILITIES. AT THE LAST TEST THE WELL WAS FOUND TO BE WITHIN THE NORMAL RANGES WITH NO UNNATURAL CONTAMINATES.

BULK STORAGE

1= 14 BARREL STORAGE OF CORROSION INHIBITOR
2= 20 BARREL STORAGE OF TRIETHYLENE GLYCOL
3= 20 BARREL STORAGE OF METHANOL
4= 20 BARREL STORAGE OF METHANOL
5= 60 BARREL STORAGE OF METHANOL
6= 60 BARREL STORAGE OF CAUSINOL 104 (NAPTHA)

ALL OF THE STORAGE TANKS AT THE LOADING DOCK ARE RESTING INSIDE OF A CONCRETE SPILL CONTAINMENT THAT HAS TWO (2) FOOT HIGH WALLS AND IS LARGE ENOUGH TO CONTAIN ANY AMOUNT OF SPILLAGE, LEAKING OR DISCHARGES. ADDITIONALLY, THE CONCRETE IS COATED WITH AN EXPENSIVE NON-PERMIABLE COATING TO PREVENT LEACHING OF ANY KIND. RAINWATER IS ALLOWED TO EVAPORATE. ANY CHEMICAL SPILLED WILL BE EXTRACTED AND REUSED.

STORAGE AREA

STORAGE OF APPROXIMATELY 60 EMPTY DRUMS THAT ARE ACTIVELY

REUSED. (IF THE DRUMS BECOME UNUSABLE, THEY WILL BE TRIPLE RINSED, CRUSHED AND PROPERLY DISPOSED OF WITH A METAL RECYCLER)

BLEND PLANT

THE BLEND PLANT HAS BLEND TANKS RESTING ON A CONCRETE FLOOR THAT HAS SPILL CONTAINMENT TROUGHS MADE INTO THE CONCRETE, IN ORDER TO CATCH ANY SPILLS. THE CHEMICALS (PRODUCT) ARE PIPED DIRECTLY INTO THE TANKS (ABOVE GROUND) IN THE CONCRETE SPILL CONTAINMENT AREA WITH NO POSSIBILITY OF GROUND CONTAMINATION OF ANY TYPE. THERE ARE NO FLOOR DRAINS OR ACCESS TO SEWAGE OR ANY TYPE OF LEACHING INTO THE SOIL OR ENVIRONMENT . EXPLOSION PROOF WIRING AND EXHAUST FANS ARE PRESENT TO ENSURE WORKER SAFETY. FIRE EXTINGUISHERS, FIRST AID KIT, DRENCH SHOWER AND VARIOUS PERSONAL PROTECTIVE EQUIPMENT ARE READILY AVAILABLE FOR EMERGENCIES. ONLY A SMALL AMOUNT OF RAW PRODUCT IS STORED HERE AND USED TO BLEND THE PRODUCTS.

STORAGE DOCK FOR FINISHED PRODUCTS

FINISHED PRODUCT IS STORED HERE AND ACTIVELY ROTATED. THE INTEGRITY OF THE DRUMS IS CONSTANTLY EVALUATED. HERE THEY SIMPLY WAIT TO BE LOADED AND UNLOADED.

NOTE; ACROSS HWY 380 AT LIL'S 380 TRUCK STOP, THERE HAS BEEN UNDERGROUND TANKS LEAKING THAT THE NMEID AND THE EPA ARE AWARE OF. PERMIAN TREATING CHEMICALS INC. IS IN NO WAYS INVOLVED OR RESPONSIBLE FOR THAT CONTAMINATION OR ANY CONTAMINATION THAT WE ARE AWARE OF.

VI. MATERIALS STORED OR USED AT THE FACILITY

(MSDS'S ARE NUMEROUS BECAUSE OF THE GREAT COMBINATION OF MIXTURES FROM BASIC PRODUCTS, BUT ARE ON SITE AND CARRIED IN OUR VEHICLES IN LARGE BINDERS-AVAILABLE FOR INSPECTION AND EMPLOYEE SAFETY, AT ALL TIMES) ATTACHED YOU WILL FIND A LIST OF BASIC PRODUCTS BLENDED AND SOLD.

1. **DRILLING FLUIDS-** NONE STORED OR USED.

2. **BRINES** (KCI, NaCI, ETC.)- NONE STORED OR USED

3. **ACIDS/CAUSTICS-** 2 100 LB BAGS OF SOLID CAUSTIC LOCATED IN THE BLEND PLANT.

4. **DETERGENTS/SOAPS-**2500 LB OF LIQUID SURFACTANT IN DRUMS LOCATED AT THE STORAGE DOCK FOR FINISHED PRODUCT.

5. **SOLVENTS & DEGREASERS**-5000 GALLONS OF LIQUID SOLVENTS IN DRUMS LOCATED IN THE BLEND PLANT.

6. **PARAFFIN TREATMENT/EMULSION BREAKERS**-1100 GALLONS OF LIQUID EMULSION BREAKERS LOCATED AT THE STORAGE DOCK FOR FINISHED PRODUCT.

7. **BIOCIDES**- NONE STORED OR USED.

8. **OTHER LIQUIDS OR SOLIDS**-NONE STORED OR USED

VII. WASTES

1. **TRUCK WASTES**-NONE STORED OR USED (OUR VEHICLES ARE SERVICED AT OIL CHANGE APPROVED FACILITIES).

2. **TRUCK TANK OR DRUM WASHING**-NONE (OUR PICKUPS ARE WASHED AT THE CARWASH). RINSATE FROM DRUMS(WHENEVER THIS MAY BE DONE) WILL BE RECYCLED. SPILLAGE IN THE PICKUPS IS MINIMAL AND CLEANED UP WITH APPROVED SORBENTS WHICH WILL BE STORED AT THE CONCRETE LOADING DOCK CONTAINMENT

3. **STEAM CLEANING OF PARTS, EQUIPMENT, TANKS**- NONE, IT'S NOT NEEDED NOR DO WE HAVE A STEAM CLEANER.

4. **SOLVENT/DEGREASER USE**- NONE

5. **SPENT ACIDS, CAUSTICS, OR COMPLETION FLUIDS**-NONE

6. **WASTE SLOP OIL**-NONE

7. **WASTE LUBRICATION AND MOTOR OILS**-NONE (OUR PICKUPS ARE SERVICED AT OIL CHANGE FACILITIES AND WE PAY THE ENVIRONMENTAL CHARGE FOR THEM TO PROPERLY DISPOSE OF IT)

8. **OIL FILTERS**- NONE (SEE #7)

9. **SOLIDS AND SLUDGES FROM TANKS**-NONE (OUR CHEMICALS ARE ALL NON SLUDGE BUILDING AND RECYCLABLE).

10. **PAINTING WASTES**-NONE

11. **SEWAGE-** ON SITE SEPTIC TANK. NO INDUSTRIAL WASTES ARE DUMPED HERE AS IT IS ONLY HOOKED UP TO THE OFFICE, APPROXIMATELY 2-3 PERSONS USE THE SANITATION FACILITIES DURING A FIVE DAY WORK WEEK. TOILET, WASHING(SOAP) AND BEVERAGE WASTES ACCOUNT FOR APPROXIMATELY 30 GALLONS OF SEWAGE PER DAY (CAN BE CLASSIFIED AS DOMESTIC WASTES).

12. **OTHER WASTE LIQUIDS**-NONE

13. **OTHER WASTE SOLIDS**-FLOOR SWEEP (APPROXIMATELY 1/2 GALLON PER WEEK) IS STORED AT THE BOTTOM OF THE CONCRETE LOADING DOCK CONTAINMENT. THIS AND THE DIRT THAT OCCASIONALLY BLOWS INTO IT IS MINIMAL AND REMAINS AT THE BOTTOM AS SEDIMENT FOR NOW. IN THE FUTURE-WHEN IT BECOMES NECESSARY TO EXTRACT IT, THE SEDIMENT WILL BE PLACED IN DRUMS AND TAKEN TO GANDY MARLEY INC.'S SURFACE WASTE DISPOSAL FACILITY (ENCLOSED ARE DOCUMENTS CONCERNING THEIR PENDING APPROVAL), OR ALTERNATELY AT CONTROLLED RECOVERY INC. NEAR HOBBS, AFTER CHARACTERISTIC TESTING TO DETERMINE IT'S CLASSIFICATION (BECAUSE OF THE LOW CONCENTRATIONS OF POTENTIALLY HAZARDOUS CHEMICALS/CAUSTICS THAT WE USE, WE EXPECT THAT IT WILL BE CLASSIFIED AS EXEMPT WASTE). WASTE DRUMS WILL BE TRIPLE RINSED, CRUSHED AND DISPOSED OF WITH A PROPER METALS RECYCLER SUCH AS HOBBS IRON & METALS INC.

14. **PITS, SUMPS, FLOOR DRAINS, ONSITE INJECTION WELLS & LEACH FIELD**-WE HAVE NONE OF THESE ON THE FACILITY.

15. **OFFICE WASTES**-SMALL OFFICE ACCOUNTS FOR APPROXIMATELY 50 TO 70 POUNDS OF SOLID WASTE PER WEEK. CONSTITUENTS ARE OFFICE PAPER, CARTONS, PLASTIC WRAPPINGS, PENCIL SHAVINGS, PAPER TOWELS AND VARIOUS SMALL AMOUNTS OF FOODSTUFFS AND RELATED PARAPHENALIA SUCH AS PAPER PLATES ETC.. ALL OF THIS IS DISPOSED IN A WASTE MANAGEMENT INC. DUMPSTER TO BE PROPERLY DISPOSED OF.

VIII. DESCRIPTION OF CURRENT LIQUID AND SOLID WASTE COLLECTION/STORAGE/DISPOSAL PROCEDURES.

1. WASTES AT OUR FACILITY ARE MINIMUM. THE WASTE ACCUMULATED WILL BE BLOW DIRT AND FLOOR SWEEP CONTAMINATED WITH THE VARIOUS CHEMICALS LISTED IN THE ATTATCHED CHEMICAL LIST.

2. STORAGE IS IN THE CONCRETE SPILL CONTAINMENT AT THE LOADING DOCK WHICH HAS BEEN COATED WITH AN IMPERMIABLE COATING TO DISALLOW LEACHING INTO THE CONCRETE. PRECIPITATION IN THIS CONTAINMENT IS ALLOWED TO EVAPORATE. IN THE EVENT OF A CHEMICAL SPILL, THE CHEMICALS WILL BE EVACUATED AND RECYCLED AND/OR USED IN DOWNHOLE PRODUCTION WELLS OR USED TO CLEAN THE ANNULUS IN OFFSITE INJECTION WELLS- WHICHEVER IS THE BEST OPTION AT THE TIME.

3. DISPOSAL (WHEN WE EVENTUALLY ACCUMULATE A SUBSTANTIAL AMOUNT) WILL BE AT GANDY MARLEY INC. NEAR TATUM PENDING APPROVAL OF THEIR FACILITY. AN ALTERNATE WOULD BE CONTROLLED RECOVERY INC. NEAR HOBBS. WASTES WILL BE TESTED TO CERTIFY NON-HAZARDOUS CLASSIFICATION PRIOR TO DISPOSAL.

IX. PROPOSED MODIFICATIONS

CURRENTLY THEIR ARE NO PROPOSED MODIFICATIONS TO OUR FACILITY.

X. INSPECTION MAINTENANCE AND REPORTING

THERE ARE CURRENTLY NO SURFACE IMPOUNDMENTS OR DISPOSAL UNITS REQUIRING MONITORING AS WE HAVE NO SUBSTANTIAL WASTE. IN THE FUTURE IF WE NEED TO STORE WASTES ONSITE WE WILL PLACE CONTAMINATED SOIL/SORBENTS IN DRUMS AND STORE THEM ON HEAVY GAUGE PLASTIC SHEETING NEAR THE EMPTY DRUM STORAGE AREA AND MARK IT "WASTES". INSPECTION WILL BE DONE MONTHLY TO DETERMINE THE INTEGRITY OF THE DRUMS UNTIL IT CAN BE PROPERLY DISPOSED OF AT AN APPROVED SURFACE WASTE DISPOSAL FACILITY.

XI. CONTINGENCY PLAN

1. SPILLAGE
   A. BLEND PLANT-SPILLAGE WILL BE EVACUATED FROM THE CONCRETE FLOOR AND RECYCLED. SMALL AMOUNTS AND RESIDUAL FLUID WILL BE ABSORBED WITH FLOOR SWEEP. THE SMALL AMOUNTS OF FLOOR SWEEP WILL BE PLACED IN THE CONCRETE SPILL CONTAINMENT AT THE LOADING DOCK.

B. LOADING DOCK-LOADING AND UNLOADING IS OUR GREATEST POTENTIAL FOR SPILLAGE. ALTHOUGH THE BULK AMOUNTS WILL BE CAUGHT WITHIN THE CONCRETE SPILL CONTAINMENT-SMALLER, PORTABLE AMOUNTS COULD POTENTIALLY BE SPILLED ON THE GROUND WHEN LOADING, WHILE BEING TRANSPORTED ON THE VEHICLES OR WHEN UNLOADED AT THE DESTINATION. THEREFORE EVERY VEHICLE SHALL CARRY SPILL CONTAINMENT KITS CONSISTING OF CONTAINMENT BOOMS AND SORBENTS IN ORDER TO MINIMIZE SPREADING. SPILLAGE WILL BE CLEANED UP QUICKLY AND CONTAMINATED SOIL EXTRACTED IN ORDER TO MINIMIZE LEACHING. ALL CONTAMINATES SHALL BE PLACED IN DRUMS AND STORED AT THE PERMIAN TREATING CHEMICALS INC. FACILITY, PENDING PROPER DISPOSAL.

C. STORAGE DOCK FOR FINISHED PRODUCTS- ALTHOUGH ALL DRUMS ARE STORED SEALED, AND ARE RELATIVELY NEW, THERE STILL REMAINS THE POSSIBILITY OF SPILLAGE WHEN LOADING/UNLOADING OR WHEN CORROSION SETS IN. VISUAL INSPECTION SHOULD BE ADEQUATE SINCE THE DOCK IS ELEVATED 3 FOOT ABOVE GROUND. INSPECTIONS SHALL BE EVERY TIME AN EMPLOYEE APPROACHES THE DOCK FOR WORK REASONS AND A FORMAL INSPECTION SHALL BE PERFORMED MONTHLY BY THE MANAGER.

D. IN THE EVENT THAT A REPORTABLE QUANTITY (OR SUBSTANTIAL AMOUNT) OF ANY CHEMICAL IS SPILLED ON OUR FACILITY OR ANYWHERE BY OUR VEHICLES OR PERSONNEL-THE OIL CONSERVATION DIVISION (OCD) WILL BE NOTIFIED AS SOON AS POSSIBLE OR WITHIN 24 HOURS OF SAID SPILL. THE NUMBER FOR THE OCD IN HOBBS IS (505) 393-6161.

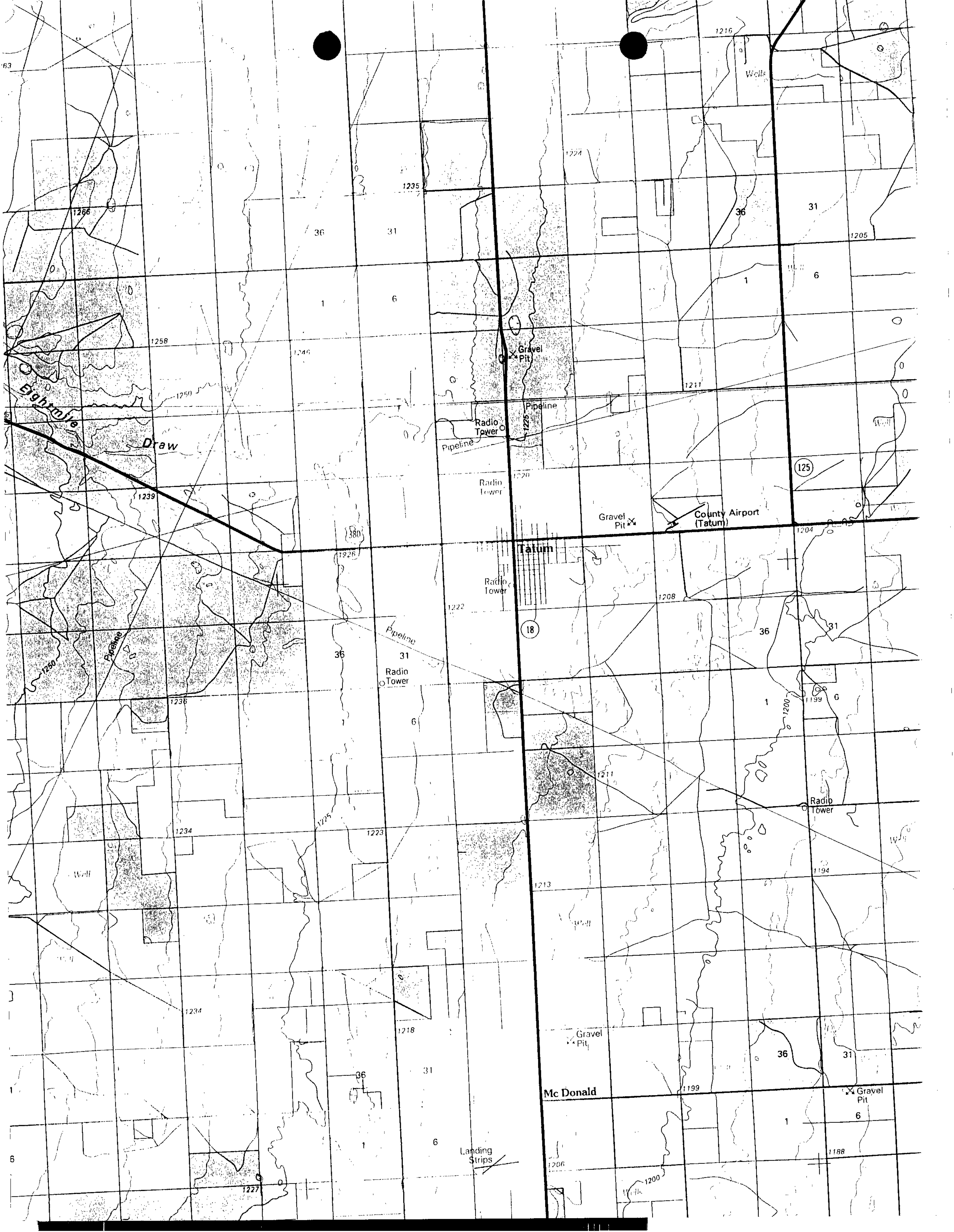
XII. SITE CHARACTERISTCS

1. **WATER**

AS SHOWN ON THE TOPOGRAPHICAL MAP (ENCLOSED) THERE ARE NO WATERCOURSES, BODIES OF WATER OR WATER DISCHARGE SITES WITHIN ONE MILE OF THIS FACILITY. THERE IS ONE WATER WELL LOCATED BEHIND THE OFFICE TRAILER AT THE SOUTH EAST CORNER USED SOLELY FOR THE OFFICE.

2. **SAMPLE ANALYSIS**

THE EID WATER WELL FIELD TEST DATED 8-12-92 SHOWS OUR WATER DEPTH TO BE AT 30 FOOT, OUR WELL DEPTH IS 70 FOOT. CONDUCTIVITY IS 950 MICROMHOS//CM, ORGANIC VAPOR WAS NOT DETECTED. A COPY OF THE SAMPLE IS ENCLOSED.



Eightmile Draw
Tatum
County Airport (Tatum)
Gravel Pit
Radio Tower
Pipeline
Mc Donald
Landing Strips
Wells
Well
380
18
125
1266
1258
1250
1239
1236
1235
1234
1227
1226
1225
1224
1223
1222
1220
1218
1216
1213
1211
1208
1206
1205
1204
1200
1199
1194
1188

3. **SOIL TYPE**
SAND AND CALICHE

4. **FLOODING POTENTIAL**
FLOODING POTENTIAL TO CAUSE CONTAMINATION IS MINIMAL SINCE THE FACILITY RESIDES ON RELATIVELY FLAT LAND AND ALL CHEMICALS ARE ELEVATED, CONTAINED OR ENCLOSED IN THE BUILDING.

3 PAGE LIST OF CHEMICALS USED AT PERMIAN TREATING CHEMICAL INC.

Shipping Categories
By Product Number

roduct ame	Product Name	Lbs / Drum	UN/NA Number	Correct Shipping Name	Hazard Class	Packing Group	Emergency Response Guide Number	Reportable Quantity (If Needed)
[illegible] 251	Corrosion Inhibitor	406	UN 1993	Flammable Liquid, NOS (Petroleum Solvent)	3	III	27	N/A
[illegible] 252	Corrosion Inhibitor	410	UN 1993	Flammable Liquid, NOS (Petroleum Solvent)	3	III	27	N/A
INC 260	Packer Fluid	449		()				
INC 271	Corrosion Inhibitor	455	UN 2924	Flammable Liquid, Corrosive, NOS (Quat. Ammonium Chloride, Methanol)	3	III	29	N/A
INC 272	Corrosion Inhibitor	450	UN 2924	Flammable Liquid, NOS (Quat. Ammonium Chloride, Methanol)	3	III	29	N/A
INC 320	Corrosion Inhibitor	460	UN 1993	Flammable Liquid, NOS (Methanol)	3	III	27	N/A
INC 325	Hot Water Compound	457		()				
INC 330	Paraffin Dispersant	405		()				
INC 340	Paraffin Solvent	400	UN 1993	Flammable Liquid, NOS (Petroleum Naphtha)	3	III	27	N/A
INC 354	Interface Compound	370	UN 1993	Flammable Liquid, NOS (Petroleum Solvent)	3	III	27	N/A
INC 449	Water Clarifier	540		()				
INC 503	Scale Inhibitor	500	UN 1760	Corrosive Liquid, NOS (Phosphonic Acid Salt)	8	III	60	N/A
INC 505	Scale Inhibitor pH 4.5	490	UN 1760	Corrosive Liquid, NOS (Phosphonic Acid Salt)	8	III	60	N/A
INC 554	Water Clarifier	540		()				
INC 700	Surfactant	443		()				
INC 710	Surfactant/Quat	420		()				
INC 740	Acidic Surfactant	490	UN 1760	Corrosive Liquid, NOS (HydroxyAcetic Acid)	8	III	60	N/A
INC 820	Emulsion Breaker	485		()				
[illegible] 900	Mutual Solvent	390		()				
INC 934	Foamer	460	NA 1993	Combustible Liquid, NOS (Butyl Cellosolve)	3	III	27	N/A
INC 936	Foamer	465	NA 1993	Combustible Liquid, NOS (Butyl Cellosolve)	3	III	27	N/A
INC 950	50% Cat Ammonium Bisulfit	590	NA 2693	Corrosive Liquid,NOS (Ammonium Bisulfite Soln.)	8	III	60	5,000 Lb.
INC 960	12.5% Sodium Hypochlorite	540	UN 1791	Corrosive Liquid, NOS (Hypochlorite Soln. >7% Cl)	8	III	60	N/A
INC 990	37% Formaldehyde	490	UN 2209	DOT NOT REGULATED (Mixture)	9	III	29	N/A
INC 1414	Gas Well Displacement CI	425	NOT REG	DOT NOT REGULATED (Oil Well Treating Compound)				
INC 1421	Tallow Diamine	450	NOT REG	DOT NOT REGULATED (Cleaning Compound)		III		N/A
INC 1427	Dimer Trimer Acid	420	NOT REG	DOT NOT REGULATED (Oil Well Treating Compound)		III		N/A
INC 1447	Imidazoline	425	UN 1993	Flammable Liquid, NOS (Methanol)	3	III	27	39,000 Lb.

Shipping Categories
By Product Number

Product Name	Product Name	Lbs / Drum	UN/NA Number	Correct Shipping Name	Hazard Class	Packing Group	Emergency Response Guide Number	Reportable Quantity (If Needed)
INC 1450	Drilling Corrosion Inh.	500	NOT REG	DOT NOT REGULATED (Organic Acid Salt Soln.)		III		N/A
INC 1469	Poly Amido Amine	0	UN 1993	Flammable Liquid, NOS (Xylene)	3	III	27	10,000 Lb.
INC 1477	Ethoxylated Imidazoline	470	NOT REG	DOT NOT REGULATED (Oil Well Treating Compound)		III		N/A
INC 1480	Imidazoline	420	UN 1993	Corrosive Liquid, NOS (Imidazoline)	8	III	27	N/A
INC 1490	Imidazoline	435	UN 1993	Corrosive Liquid, NOS (Imidazoline)	8	III	27	N/A
INC 1494	Dimer Trimer Acid	440	NOT REG	DOT NOT REGULATED (Oil Well Treating Compound)		III		N/A
INC 1801	Surfactant	480	UN 1219	Flammable Liquid, NOS (Isopropanol Solution)	3	III	26	N/A
INC 1840	Foamer Intermediate	490	NA 1993	Combustible Liquid, NOS (Isopropanol, Butyl Cellosolve)	3	III	27	N/A
INC 1875	Surfactant/Corrosion Inh.	420	UN 2924	Flammable Liquid,Corrosive, NOS (Quat. Ammonium Chloride. Methanol)	3	III	29	N/A
INC 1895	Surfactant	480	NOT REG	DOT NOT REGULATED (Oil Well Treating Compound)		III		N/A
INC 2100	Emulsion Breaker	470	NOT REG	DOT NOT REGULATED (Cleaning Compound)		III		N/A
INC 2102	Emulsion Breaker	430	NA 1993	Combustible Liquid, NOS (Naphthalene)	3	III	27	100 Lb.
INC 2117	Emulsion Breaker	460	NOT REG	DOT NOT REGULATED (Oil Well Treating Compound)		III		N/A
INC 2133	Emulsion Breaker	430	NA 1993	Combustible Liquid, NOS (Petroleum Solvent)	3	III	27	100 Lb.
INC 2143	Emulsion Breaker	460	NA 1993	Combustible Liquid, NOS (Petroleum Solvent)	3	III	27	100 Lb.
INC 2155		0		()				
INC 2157	Emulsion Breaker	480		()				
INC 2160	Emulsion Breaker	475	NOT REG	DOT NOT REGULATED (Oil Well Treating Compound)		III		N/A
INC 2172	Emulsion Breaker	435	UN 1993	Combustible Liquid, NOS (Petroleum Solvent, Isopropanol)	3	III	27	N/A
INC 2181	Emulsion Breaker	460	NA 1993	Combustible Liquid, NOS (Petroleum Solvent)	3	III	27	100 Lb.
INC 2182	Emulsion Breaker	455	NA 1993	Combustible Liquid, NOS (Petroleum Solvent)	3	III	27	N/A
INC 2211	Scale Inhibitor	460	UN 1219	Flammable Liquid, NOS (Phosphonate/Imidazoline)	8	III	26	N/A
INC 2213	Scale Inhibitor	610	UN 1760	Corrosive Liquid, NOS (Compound, Cleaning Liquid)	8	III	60	N/A
INC 2215	Unneut. Phosph. Scale Inh	570	UN 1760	Corrosive Liquid, NOS (Phosphonic Acid Salt)	8	III	60	N/A
INC 2216	Neut. Phosph. Scale Inh	570	UN 1760	Corrosive Liquid, NOS (Phosphonic Acid Salt)	8	III	60	N/A
INC 2217	BHMT Scale Inhibitor	560	UN 1760	Corrosive Liquid, NOS (Contains Hydrochloric Acid)	8	III	60	N/A
INC 2220	Sulfate Scale Converter	560	NOT REG	DOT NOT REGULATED (Cleaning Compound)		III		N/A
INC 2240	Polymer Scale Inhibitor	525	NOT REG	DOT NOT REGULATED (PolyAcrylate Solution)		III		N/A

Shipping Categories
By Product Number

Product Name	Product Name	Lbs / Drum	UN/NA Number	Correct Shipping Name	Hazard Class	Packing Group	Emergency Response Guide Number	Reportable Quantity (If Needed)
INC 2277	Ester Scale Inhibitor	655	UN 1760	Corrosive Liquid, NOS (Phosphate Ester)	8	III	60	N/A
INC 2278	Neut Ester Scale Inh. ph4	550	UN 1987	Alcohols, NOS (Methanol)	3	III	26	N/A
INC 2401	Water Sol. Corrosion Inh.	435	UN 2924	Flammable Liquid, Corrosive, NOS (Quat. Ammonium Chloride, Methanol)	3	III	29	N/A
INC 2404	Water Sol. Corrosion Inh.	400	UN 2924	Flammable Liquid, Corrosive, NOS (Quat. Ammonium Chloride, Methanol)	3	III	29	N/A
INC 2416	Water Sol. Corrosion Inh.	470	UN 1993	Flammable Liquid, NOS (Methanol)	3	III	27	N/A
INC 2512	Paraffin Solvent	410		()				
INC 2525	Paraffin Inhibitor	425		()				
INC 2526	Paraffin Inhibitor	415		()				
INC 2560	Paraffin Solvent/Inh.	385	UN 1993	Flammable Liquid, NOS (Toluene, Xylene)	3	III	27	2,900 Lb.
INC 2571	Paraffin Dispersant	425	UN 1993	Flammable Liquid, NOS (Isopropanol, Terpenes)	3	III	27	20,000 Lb.
INC 2575	Hot-Water Compound	450		()				
INC 2580	Paraffin Dispersant	450	NA 1993	Combustible Liquid, NOS (Petroleum Solvent, 2-EthylHexanol)	3	III	27	N/A
INC 2590	Paraffin Dispersant	472	NOT REG	DOT NOT REGULATED (Cleaning Compound)		III		N/A
INC 9000	Neutralized Formaldehyde	490	UN 1760	Corrosive Liquid, NOS (Alkanolamine)	8	III	27	N/A

Environmental Improvement Division
Ground Water Bureau
Runnels Building
Santa Fe, New Mexico 87503
Ph: 827-2917

WATER WELL FIELD TEST
EXAMEN DE LA NORIA

3046

PRESS HARD-A PLANA CON FUERSA

HOW TO TAKE A WATER SAMPLE

1. Turn on the tap and let the cold water run for at least five minutes.
2. Collect at least one quart of water in a washed, well rinsed, covered container such as a plastic milk jug or canning jar.
3. Old samples can give inaccurate results. Collect the sample as close to the time of testing as possible and write down the date and time you took the sample.

COMO TOMAR MUESTRAS DE NORIA

1. Abra la llave y deje que corra el agua fría cinco minutos a lo menos.
2. Recoja cuando menos un cuarto de agua en un envase lavado, bien enjuagado y tapado; puede ser un envase de plástico de leche o un frasco de envasar con tapa también.
3. Los resultados obtenidos de muestras que ya tengan tiempo, o viejas, pueden ser incorrectos.

WELL INFORMATION (1-18 to be completed by well owner or user.)
INFORMACION SOBRE LA NORIA (Debe de ser dada por el dueño (a) de la noria la persona que lo usa.)

1. Sampling date - Fecha de la muestra. 8-12-92 | Field Test Location
2. Name - Nombre. Bob Blackwell | Phone No.-Teléfono 398 4111
3. Mailing address - Dirección (para correspondencia).
4. City, State, Zip code - Ciudad, Estado, Zona postal.
5. Location of well (if different from mailing address) - Local de la noria (si es diferente a la anterior).
6. Well owner (if different from name above) - Dueño (a) de la noria (si es diferente al nombre dado anteriormente).
7. How many people use this well as a source of drinking water? - ¿Cuántas personas usan este noria de agua como recurso de agua potable?
8. How long have they been using it? - ¿Cuánto tiempo tienen usándolo?
9. Concrete pad around the well? - ¿Plancha de concreto?
   ☐ YES - SÍ ☐ NO
10. Distance from well to nearest septic system leachfield. - Distancia entre la noria del campo de lixivio del sistema séptico mas cercano.

11. Well driller's name and address - Nombre y dirección de la persona que perforó la noria.
12. Suspected problems: - Problemas que se sospechan:
    ☐ None - Ninguno Describe: - Describa:
13. Casing material - Cubierta.
    ☑ Steel - Acero ☐ PVC
14. Depth of well - Profundidad de la noria.
15. Depth to water - Profundidad del agua. — Thirty 30'
16. Method of well construction: - Método del construcción:
    ☑ Drilled - Perforada ☐ Dug - Excavada ☐ Driven - Cavada
    ☐ Other - Please describe: - Otro - Por favor describa:
17. Age of well (years) - Edad (años)
18. Are you using a water treatment unit? - ¿Está Ud. usando un aparato especial para el purificarar el agua?
    ☐ Yes - Sí ☐ No
    Check type: - Marque que tipo es:
    ☐ Distillation - Destilación
    ☐ Reverse osmosis - Osmosis inversa
    ☐ Chlorination - Tratamiento de cloro
    ☐ Carbon filter - Filtro de carbón
    ☐ Oxidation & removal - Oxidación y removimiento
    ☐ Water softener - Ablandador o suavizador de agua
    ☐ Other - otro/Please describe- Por favor describa:

LABORATORY RESULTS - RESULTADOS del LABORATORIO

pH	7.5	Temperature (degrees Centigrade)	23°C
Conductivity (micromhos/cm) 1300 at 25° C †	450		
Organic vapor	None	☒ Not detected	☐ Detected
Flame ionization (parts per million)			
Photo ionization (parts per million)			
Nitrate as N (mg/l) 10 mg/l*	3.5	Manganese (mg/l) 0.05 mg/l †	
Sulfate (mg/l) 250 mg/l †	190	Sulfide (mg/l) 0.05 mg/l †	
Iron (mg/l) 0.3 mg/l †	0.06		
Analyst - Analizador		Date - Fecha	4/14/93

*Health standard †Aesthetic standard

COMMENTS - COMENTARIOS

AVISO

Los exámenes para tomar muestras de agua hechos por la oficina *Environmental Improvement Division* de Nuevo México (EID), son sólamente para analizar los productos químicos y características anotadas en esta forma, llamada en inglés, *Water Well Field Test.* Estos exámenes no deben considerarse un sustituto de un análisis completo de laboratorio, ni tampoco incluyen ningún análisis biológico (por ejemplo de bacteria, etc.). Además, si la manera en que fué tomada la muestra no fué la recomendada por EID, los resultados del examen de la muestra quizá den a conocer un componente o una característica que en realidad no se encuentra presente en su agua o quizá no den a conocer un componente o caraterística que sí esté presente. Si tiene usted alguna pregunta, por favor pregúntele a un representante de EID.

NOTICE

The water sample tests performed by the New Mexico Environmental Improvement Division (EID) are only for those chemicals or characteristics listed on the Water Well Field Test form. The tests are not a substitute for a complete laboratory analysis, nor do they include any biological (i.e., bacterial, etc.) analyses. In addition, the test results may show a compound or characteristic not actually present in your water, or may fail to show a compound or characteristic which is actually present, if the manner in which your water sample was taken and/or preserved is significantly different from the manner recommended by the EID. If you have any questions, please ask an EID representative.

This water testing program was made possible by special appropriations from the New Mexico Legislature. - Este programa para tomar muestras y analizar el agua se logró por la Legislatura de Nuevo México.

Please read the back of this form. - Por favor lea al reverso de esta forma.

The facility will only accept solids which are classified as non-hazardous by RCRA Subtitle C exemption or by characteristic testing. Prior to placement of any contaminated soils into the facility, it will be verified that the wastes are accompanied by a "Certification of Waste Status" from the generator. Wastes from operations not currently exempt under RCRA Subtitle C or mixed exempt and non-exempt wastes will be sampled and analyzed to determine whether any hazardous constituents are present. Results of all analyses will be submitted to the OCD. No such wastes will be placed in the facility without prior approval from the OCD.

All wastes accepted by this facility will be documented and logged at the time they are placed in the disposal facility. Each load will be inspected to ensure that only acceptable wastes are placed in the facility. At the time of the load inspection, the following information will be recorded on an inspection form and maintained at the facility for a period of two years:

- origin of material
- verification of analysis (if applicable)
- name and signature of transporter
- cell in which waste is placed
- date waste is received
- quantity of waste
- name and signature of authorized disposal facility employee
- verification of accompanying "Certification of Waste Status"

Monthly reporting will be made to the District OCD office on appropriate OCD reporting forms and in accordance with OCD Rule 711.

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

Wastewater and other liquids are prohibited at the facility. Therefore, risk of spills or leaks is negligible. Perimeter berms will serve to prevent stormwater run-on and run-off. Equipment and machinery will be at or near the facility at all times which could be used in the event of any spill or leak. Should a leak or spill occur, notification to the OCD would be made immediately in accordance with OCD Rule 116.

IX. Inspection, Maintenance, and Reporting

The facility will be inspected on a regular basis and immediately following significant precipitation and/or wind. Inspections will include examination of berms, fences, and the remediation area. Perimeter and interior berms will be maintained to prevent erosion. General maintenance will be routinely performed. Any necessary repairs will be made immediately.

Inspection and repair records will be maintained and will include time and date of inspection and types of repairs performed. These records will be maintained on site.

X. Closure Plan

Upon closure, and following notification to OCD that operations have ceased, existing soils which have previously been placed at the facility will continue to be managed until such time that remediation meets standards established by the OCD. Within six months following verification that all existing soils have met OCD remediation standards, the site will be covered and mounded to ensure that stormwater does not collect above or leach into the closed cells. The site will be restored with natural vegetation. Existing fences will be maintained following closure and access will be restricted. Any additional closure requirements or conditions of the OCD will be met.

XI. Site Characteristics - Fresh Water Protection Demonstration

There are no stream drainages or water wells within one mile of the facility boundary. Approximately 1/2 mile east of the proposed site, there is a spring at the base of Mescalero Rim. This spring is located topographically higher (200 feet) than the proposed facility and is a result of seepage from an overlying aquifer (Ogallala Fm.) The spring water is collected by the rancher and distributed through an underground pipeline to stock tanks on the ranch property. There are three such stock tanks within one mile of the outside perimeter of the proposed facility.

While there are no water wells within one mile of the outside perimeter of the proposed site, subsurface drilling has encountered groundwater saturation within Upper Triassic sediments. The depth to this groundwater is 150 feet. A sample of the ground water was obtained from three drill holes, the location of which are illustrated in Figure 4. The samples were analyzed at Assaigai Analytical

New Mexico
State Corporation Commission

STATE FIRE MARSHAL

P. O. Drawer 1269
Santa Fe, NM 87504-1269

TELEPHONE (505) 827-3550
1-800-244-6702
FAX # (505) 827-3778

February 10, 1995

Mr. Larry Gandy
Gandy Corporation
P. O. Box 827
Tatum, NM 88267

Dear Mr. Gandy:

In review of your permit application and drawings sent to this office to Mr. Gonzales I do not see any thing out of order.

NFPA 30 Chapter Four covers storage and warehousing of containers and portable tanks.

Chapter Four also contains information on the design, container, portable tanks and flammable liquids storage cabinets.

Feel free to write or call this office if you have any other questions.

Sincerely,

J. A. Martinez
Fireworks and Safety Division

LOVINGTON FIRE DEPARTMENT
EMERGENCY MEDICAL SERVICE
P. O. BOX 1269
LOVINGTON, NEW MEXICO 88260
(505) 396-2359
FAX: (505) 396-6328

JACK L. DAVIS
FIRE CHIEF

DENNIS BOGAN
ASST. FIRE CHIEF

Ronald L. Glover Jr.
Asst. Fire Chief, Fire Marshal
Lovington Fire Department.
PO Box 1269
Lovington, NM 88260

November 28, 1994

Larry Gandy
Gandy Corporation
PO Box 827
Tatum, NM 88267

Dear Mr. Gandy:

Thank you for your time in the recent inspection you requested, November 23, 1994.

I found your business, Permian Chemical facility in Tatum, NM to be in compliance with the Life Safety Code®.

If I can be of further assistance of if you have any questions, Please contact me at any time

Sincerely,

Ronald L. Glover Jr.
Asst. Fire Chief, Fire Marshal